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MEMOIRS

OF

MARY STUART.

VOL. II.

LONDON:
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REMARKABLE PORTRAIT OF A LADY, AN ANCIENT MINIATURE PAINTING BY OLIVER LEDUCHER, IN THE BRITISH ***MUSEUM.***

[illegible]

MEMOIRS

OF

MARY STUART,

QUEEN OF SCOTLAND.

BY

L. STANHOPE F. BUCKINGHAM.

. . . . . 'Tis slander;
Whose breath is sharper than the sword; whose tongue
Outvenoms all the worms of Nile; whose breath
Rides on the posting winds.

Be thou as chaste as ice, as pure as snow, thou shalt not escape calumny.

IN TWO VOLUMES.

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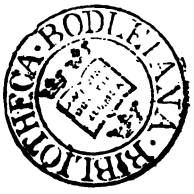
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HISTORICAL MEMOIR

OF

MARY STUART.

CHAPTER I.

THE HISTORY OF THE FORGED LETTERS, ASSERTED TO HAVE BEEN WRITTEN BY MARY STUART TO JAMES EARL OF BOTHWELL, FROM THE PERIOD OF THEIR FIRST PRODUCTION TO THEIR ULTIMATE DISAPPEARANCE—DEMONSTRATION OF THEIR FORGERY FROM EXTERNAL EVIDENCE.

HERE, then, might we rest from our investigation, and proceed no further in our toilsome research. Without noticing the thousand fictions and the ten thousand sophisms which the enemies of Mary have raised against her fame, and the arguments which all, from Buchanan down to Laing, have urged in support of the authenticity of the letters to Bothwell, we might rest our cause upon this decision of Elizabeth alone, and defy the cavillings of others, while we could point to this triumphant verdict in her favour; asserting, as it does, the utter vanity

of all the evidence against her, and of those letters among the rest. But a problem which has so long and so greatly exercised the speculations of the world, and with regard to which even at the present day, when the investigations of Whitaker, of Tytler, and of Goodall, have left not the slightest room for doubt, some may be in a degree undecided, deserves some share of our attention; and a work like the present would be justly regarded as incomplete, if it passed over in utter silence the great question of the authenticity of those letters to Bothwell, which were brought forward by her foes as the strongest proofs against the Scottish Queen. And to this point I shall now direct the notice of my reader, touching first upon the history of the letters, and then endeavouring to draw from their contents some information which may lead us to an accurate determination of the point in question.

The story which was related of their first capture did not make its appearance until some time after the reputed event which it relates; but its authority is unimpeachable, since it comes from the mouths of the rebel Lords themselves.[1] And since George

(1) "Apud Edinburg, 16 Sept. Anno Dom. 1568. The quhilk day, the nobill and potent Prince James Erll of Murray, Lord Abirnethie, Regent to our Soverane Lord, his realme and liegis, grantit and confessit him to have ressavit fra James Erle of Mortoun, Lord of Dalkeyth, Chancelar of Scotland, ane silver box owergilt with gold, with all missive letteris, contractis, or obliga-

Buchanan has transcribed into his Detection the facts which are detailed in that document under the hand of Murray, in which the account first appears; and since his narration is on the whole more explicit than the other, it will best serve our purpose here. He says, "That in the Castell of Edinburgh thair was left be the Earl Bothwell befoir his fleing away, and was send for be ane George Dalglische his servand, quha was takin be ye Erle of Mortoun, ane small gylt Copper not fully ane Fute lang, being garnischit in sundrie Places with the Romane letter F under ane Kinges Crowne; quhairin wer certaine Letteris and Wrytingis weill knawin and be Aithis to be affirmit to have bene writtin with the Quene of Scottes awin Hand to ye Erle Bothwell."[2] Now this account is full of the wildest and most glaring improbabilities, which are alone almost sufficient to stamp it as an obvious fiction; but in order to evince them the more fully, it will be necessary to inquire who was then the Governor of the Castle, and the most distinct and

tiounis for mariage, sonettis, or luif-ballettis, and all utheris letteris contenit thairin, send and past betwix ye Quene, our Soverane Lordis moder, and James sumtyme Erll Bothvile. Quhilk box, and haill pecis within the samyn, wer takin and fund with umquhile George Dalgleische, servand to ye said Erll Bothvile, upon the xx. day of Junii, ye zeir of God 1567 zeirs."—*Records of Murray's Privy Council*, apud *Goodall*, II. 90.

(2) Buchanan's Detection, 92, apud Anderson II. Goodall, II. 53.

incontestible evidence can be adduced to show, that Sir James Balfour then held that important office. Melvil, indeed, speaking of Balfour, tells us " that the Earl and he had been great companions, so that the custody of the castle of Edinburgh was committed to him."[3] Spottiswoode, an authority on whose testimony we may safely place great reliance, informs us that " Bothwell gat the Castle of Edinburgh in his custody upon the Earl of Marre his resignation, placing therein Sir James Balfour whom he especially trusted;"[4] and Crawford's MS. speaks of the Castle of Edinburgh as in the hands of a creature of Bothwell's, Sir James Balfour.[5] But although Balfour was much trusted by Bothwell at the time when he received this important office, he soon began to evince that perfidy which was so conspicuous in his character, and fell from his fidelity to his superior. Sir James Melvil, who seems to have been a close and faithful observer, had perceived that there were some jealousies betwixt them, and that Bothwell desired to take the Castle out of his hands; and in order to defeat those schemes which the Earl was supposed to entertain against the person of the Prince, he advised him not to allow the charge to be taken from him. And by working upon the fears of Balfour, Melvil induced him to play the

(3) Melvil, 81. (4) Spottiswoode, 201.
(5) Crawford's MS. apud Keith, 384.

traitor, and to give his alliance to the nobles, who were desiring to crown the Prince and punish the Earl of Bothwell for the murder of the King.[6] Such, then, was the position of Balfour, an avowed ally of the enemies of the Earl, when we are called upon to suppose that a messenger was sent to him to obtain the delivery of letters, which were fraught in every line with danger to the life of him to whom they were sent, and of her who sent them; and at a time when the country was in a state of open warfare, which rendered the chances of capture imminent and extreme.

These circumstances serve to throw an air of improbability on the whole story, which may very well excuse the incredulity of some; but our belief is

(6) "I dealt with Sir James Balfour not to part with the Castle, whereby he might be an instrument to save the Prince and the Queen, . . . assuring him that I had intelligence by one who was of the Earl of Bothwel's counsel, to wit, the Laird of Whitlaw, Captain of the Castle of Dunbar, that the Earl of Bothwel was determined to take the Castle of Edinburgh from him, and make the Laird of Beenstoun, one Hepburn, Captain thereof . . . Sir James Balfour gave ear to my proposition, and consented to help to pursue the murtherers." *Melvil*, 81. The means which Melvil adopted as those which he judged most likely to be effectual in persuading Balfour, speak volumes with regard to his character. "The very time, if nothing else were, bewraieth you, and your whole cause withal. Is it to be thought, that either the Earle would send to the said Sir James, who had before assisted the faction against the Quene with the force and strength of Edenborough Castle, and driven from thence the very Earle himselfe, or that the said Sir James would send any such thing to the Earle? is it likely? is it credible?"—*Leslie*, 16, apud *Anderson*, I.

required for another statement, which is really so absurd and improbable, that no man of common reflection can afford to it his credence. For we are informed, and that by Buchanan, the especial historian of the rebels, that Sir James Balfour, on receiving this application from Bothwell, instead of immediately detaining the letters and refusing to allow such precious documents to leave his hands, actually delivered them to Dalgleish, and then forwarded information of the fact to Morton in order that he might intercept the bearer; trusting thus to the thousand chances which must surround such a capture, and failing to avail himself of the ready security which presented itself to his hands. Even in the most stolid and unreflecting of men such conduct would be almost incredible; but when it is attributed to one so eminently acute and sagacious as Balfour, who, like many of the party of Murray, resembled his great leader in combining the highest talents with the extremes of perfidy and vice, it is positively impossible that the tale should be true.

Yet it is not upon mere presumption that the assertion of the falsehood of this narrative is founded; for positive evidence lends its aid to stamp it as a glaring fiction. On the 21st of June, 1567, the day after the asserted capture, a council of the rebel Lords was held, and Morton himself was

present.[7] Who cannot picture to himself the eager anxiety with which all will examine the precious treasure? Every article of its contents will be devoured with zealous eyes; every circumstance of its capture will be again and again recounted with unceasing delight; and Morton, the captor of the treasure, will be hailed as the saviour of the party, by affording to them the best of palliations for their ingratitude and rebellion. But how wofully will they be disappointed who search the records with anticipations such as these—for in all the course of that meeting not a word was spoken of that precious prize. No sound of mutual congratulation was heard; and gratitude and curiosity were alike absent from the bosoms of the Scottish Lords.

But, on the 26th, another meeting was held, at which also Morton was present; and Dalgleish, the man in whose hands the documents were asserted to have been taken, was brought forth and examined before them. Now, indeed, will the whole truth burst forth, and the facts, which have been before passed over in silence, will be declared and confirmed by the testimony of the very messenger himself. But no such course was taken by his captors. His examination, a long and searching

(7) Keith, 406.

one, still remains on record,[8] yet in it we find not a word of the casket,—not a syllable of the letters he was commissioned to procure. If they had really been taken with him, as was averred, that was the proper time to have proved every step of the transaction upon which so much would afterwards depend, by the testimony of this important witness. One of two conclusions is inevitable from the facts which thus appear; either that Morton then knew nothing of the existence of the casket and letters, since, if he had been aware of the facts which were afterwards put forward, he would have asked some questions concerning them,—or that he did ask such questions, but suppressed the answers because they did not agree with the statement which was intended to be promulged. These are the horns of the dilemma; but every thing seems to favour the former, and but little the latter supposition. Dalgleish's name is never once mentioned in connexion with the letters until his violent death had prevented the possibility of his denying the assertion of their capture on his person, since he was hanged on the 3rd of January, 1568,[9] while the first connexion of his name with

(8) Cott. MSS. Calig. C. I. Anderson, II. 173.

(9) "Dagleische . . . upon quhome was justice execute ye III of Januarie ye zeir of God 1567" (1568 according to our computation).—*Buchanan's Detection*, 159, apud *Anderson*, II.

the documents occurs on the 16th of September in the same year.[10] And on the scaffold he asserted the innocence of the Queen, and charged the Earls of Murray and Morton as the authors of the murder.[11] And even on this very day, a proclamation which they issued proves distinctly what their conduct with regard to Dalgleish shows presumptively, that they had not yet seen the letters of which we speak. For in it they aver of Bothwell, that he had "tressonabillie ravishit" the Queen's person, and retained her under "thraldome and bondage;"[12] while one of the chief points which those letters were designed to prove was, that that step was devised and consented to by Mary herself. So plainly do their own words stand forth as evidence against their after-statements.

When Mary was cast into prison at Lochleven, her jewels and plate fell a sacrifice to the rapacity of her patriotic foes,[13] who, like some other patriots in

(10) Record of Murray's Privy Council, September 16, 1568, apud Goodall, II. 90.

(11) Keith, 467. "Shortly after Murray put to death . . . Daglish and other servants of Bothwel's which were present at the murdering of the King. But they, (which he full little expected,) protested at the gallowes before God and his Angels, that they understood from Bothwell that Murray and Morton were the authours of the King's death: The Queene they cleared from all suspicion."—*Camden*, I. 97.

(12) Records of Privy Council, Edinburgh, June 26, 1567, apud Anderson, I. 139.

(13) Keith, 407, from Calderwood's MS.

later times, were not prevented by their love of country from adding somewhat to their private wealth by the convulsions which their schemes produced; and then, probably, the casket in question came into their hands; and the acquisition of this prize may have first suggested to the minds of the rebels the expedient which they subsequently adopted, of filling it with letters in the name of their Queen. The first hint which we have of their intention to bring forward her own hand-writing against her is contained in a dispatch from Sir Nicholas Throckmorton to the English Court, dated the 24th of July, 1567, in which he says, "I do perceive, if these men cannot by fair means induce the Queen to their purpose, they mean to charge her with these three crimes: that is to say, tyranny, for breach and violation of their laws and decrees of the realm, as well that which they call common laws, as their statute laws; and, namely, the breach of those statutes which were enacted in her absence, and confirmed by Mons. de Randam and Mons. D'Osell, in the French King, her husband's name and hers. Secondly, they mean to charge her with incontinency, as well with the Earl Bothwell as with others; having (as they say) sufficient proof against her for this crime. Thirdly, they mean to charge her with the murder of her husband, whereof (they say) they have as apparent proof against her as may be; as well by

the testimony of her own hand-writing, which they have recovered, as also by sufficient witnesses."[14] Yet it is to be observed, that the first scheme which their wild imaginations had sketched out, was visibly and greatly contracted when the plot was fully matured; for then the tyranny and violation of the laws were forgotten; the incontinence with others besides the Earl of Bothwell fell to the ground, and the sufficient proof of it melted into air; the witnesses vanished away, and the "as apparent proof as may be" made its appearance in the shape of a series of anonymous letters, of which Murray himself doubted the sufficiency as evidence;[15] so far was it inconclusive and uncertain; so largely did the genius of forgery overstep itself in its first conceptions of the mighty scheme. And we learn the actual design which they then entertained for the composition of the letters from the Spanish Ambassador, who tells us that on the 31st of July Murray informed him that he had a letter of Mary's of more than three sheets, in which it was proved that she and Bothwell had resolved to murder Darnley, either by

(14) Keith, 424—427.

(15) "Farther, it may be, that sic letteris as we haif of the Quene, our Soverane Lordis moder, that sufficientlie, in our opinioun, preivis hir consenting to the murthure of the King hir lauchful husband, sal be callit in doubt be the juges to be constitute for examination and trial of the caus, quhether thay may stand, or fall; pruif or not."—*Paper Office*, apud *Goodall*, II. 76.

poison, or, should that fail, by the burning of his dwelling.[16] Yet even this letter, spoken of as actually in existence, underwent a change, for when it made its public debut, this last project had disappeared; so great was the effect of time upon these airy fabrications. But while in these two instances, more than a month after the date of the asserted seizure, we find an allusion to the letters, though in neither case were they shown to those to whom they were described, there are a thousand other cases in which, if they had really existed, they would have been used, in which we hear not a word respecting them. The ambassador, who arrived from France to inquire into the causes of the rebellion, heard nothing of those letters which supplied the fullest vindication of the insurgents; the nobles, who yet adhered to the cause of the Queen from a conscientious conviction of her virtue, were yet never informed of these striking demonstrations of her crimes; and, to crown all, the Earl of Murray, when he visited his sister in Lochleven, in the middle of August, and when he endeavoured to aggravate her misery by every reproach which bitter malignity could heap upon her defenceless head, made not the slightest mention of these documents, which would have furnished so fertile

(16) "Dandole algun bebedizo ó en todo apuro quemando la casa."—*Gonzalez*, 75, quoted in *Lingard*, VIII. 12, *note*.

a theme for his rebukes, and which would have effectually silenced all her excuses and every vindication of her conduct. The natural conclusion from all these facts is inevitable and easy. The continual suppression of the letters by the rebels, in positions in which the exhibition of them would have aided most materially their cause, and their non-production, even to those to whom they were vaguely mentioned, and that in a form in which they did not afterwards appear, seem to prove, almost indisputably, that although the idea of a series of letters from Mary had entered the imaginations of her foes, these celebrated papers had not yet been called into existence by the forger's pen.

After this casual mention by the Spanish Ambassador on the 31st of July, the most careful search is unable to detect any allusion to the letters until the 4th of December, 1568, although during the whole intervening period the Lords had been in a state of rebellion against their Queen; but then do they make their first appearance in an Act of Secret Council, where they are described as "divers hir previe lettres WRITTIN AND SUBSCRIVIT with hir awin hand and sent be hir to James Erle Boithwell;"[17] and we are told, with really com-

(17) "Theirfore the Lords of Secrete Counsale, Baronis and men of jugement above expremit, desires it to be found and declarit be the Estates and haill body of the Parliament, that the cause and occasion of the previe conventionis and messages of the Erles,

mendable gravity, that all that had happened since the 10th of February, was in the said Queen's "awin default," inasmuch as by these letters, which they afterwards asserted to have been captured on the 20th of June,[18] it was evident that she was participant

Lords, Noblemen and Baronis, and others faithful and trew subjects, and consequentlie theire taking of armes and cominge to the fields with oppin and displait baneris, and the cause and occasion of the taking of the Quene's person upon the 15th daie of Junii last bypast, and holding and deteininge of the same within the hous and place of Lochlevin continewallie sensyne, presentlie, and in all tymes comyng; and generallie all other things inventit, spokin, writtin, or donne be them, or aney of them, sen the tent daie of February last bypast (upon quhilk daie umquhile King Henrie, the Quene's lawfull husband, and our Soveraine Lord the King's dearest father was shamefully and horribblie murtherit) unto the daie and date heirof, toweching the saied Quene hir person, that caus, and all things depending theiron, or that anie wise maie apperteine theirto, the intromissioun with the disponinge upon hir propertie, casualties, or other thing whatsover perteining, or myght pertene to hir, was in the saied Quene's awin default, in as far as be divers hir previe lettres writtin and subscrivit with her awin hand, and sent by hir to James Erll Boithwell, cheiffe executor of the said horrible murdor, as well before the committing theirof, as therafter, and be hir ungodlie and dishonorable proceding in a priveit mariage with him soddanlie and unprovisitlie yarefter, it is most certeine that she was previe, art and part, and of the actual devise and deid of the foirmencionit murther of the Kinge, hir lawchfull husband, our Sovereine Lorde's father, committit be the said James Erll Boithuill, his complices and partakers; and theirfore justlie deservis whatsoever hes bin attemtit or shall be usit toward hir for the said caus."—*Act of Murray's Council*, apud *Goodall*, II. 64.

(18) "1567, Junii 20. DALGLESHE Chalmerchild to my Lord Bothwell was taken, and the Box and Letters quhilk he brought out of the Castell."—*Murray, Cott. MSS. Calig.* B. IX. fol. 247, apud *Anderson*, II. 277. *Goodall*, II. 250.

in the murder of her husband. That utter disregard of true chronology which has furnished so important a weapon for the detection of the forgery of the letter influenced them here, and they placed the asserted cause just four months after the beginning of its declared effect. So blinding is the effect of complicated guilt!

After this we have not to wait long before we meet with them again; since, on the 15th day of December, they were mentioned in an Act of the Parliament,—yet we shall scarcely recognise our old acquaintance; for time, the great mutator of all things in this nether world, had been at work upon their tender frames, and with a rapidity which certainly shames most of his other operations, had succeeded in the short space of eleven days in effacing the subscriptions, and presented them to us now as "divers her previe letteris WRITTIN HALEIE with hir awin hand and send be hir to James sumtyme Erle of Bothwell."[19] And in this form, asserted to be written but not subscribed, they came to the English conference.

Nothing can bear stronger marks of fraud than such a charge as this, in which the peculiar character of the difference, the first account containing more than the second, and the second yet showing

(19) Act of Parliament, apud Goodall, II. 67.

all the truth, has been especially pointed out by Dr. Johnson as a very distinct and important feature.[20] But the enemies of Mary, ever ready to deprive her, if possible, of the slightest argument for her vindication, have endeavoured to destroy the strong suspicion which necessarily attaches itself to the letters from this circumstance, by attempting to afford a satisfactory explanation of this glaring variation. Passing over, as really unworthy of an answer, the explanation of Mr. Hume, who attributes the whole difference to the mistake of the Clerk of the Council (who, by the way, was Alexander Hay, one of the subtlest men of that age), and endeavours to elude the difficulty by supposing that he, seeing one of the papers subscribed, wrote down that all were so,[21]—a begging of the question which supposes the clerk to have been an idiot; we may come at once to Mr. Laing, and endeavour to ascertain whether his explanation is calculated to remove the difficulty which exists. And I think it will be found that it

(20) "It is indeed very remarkable that the first account asserts more than the second, though the second contains all the truth; for the letters, whether written by the Queen or not, were not subscribed. Had the second account differed from the first only by something added, the first might have contained truth, though not all the truth; but as the second corrects the first by diminution, the first cannot be cleared from falsehood."—*Dr. Johnson, in the Gentleman's Magazine*, October, 1760.

(21) Hume, V. 148, note b.

is not. As in most of the cases in which Mr. Laing finds a passage, in a good authority, opposed to his peculiar views, he sets it down as an interpolation, regardless of all evidence to the contrary, which, however, he prudently and carefully suppresses; so here, unable to maintain his position while the act of council remains as it is, he has recourse to "an error of the pen or press," and assures us that the passage which we have "written *and* subscribed," *may* have been (for to a conjecture only can it amount), "written *or* subscribed," and that this is in strict accordance with the truth, since the letters were written, and the second contract only subscribed, by her.

But, before we examine more carefully this plausible and specious explanation, it will be necessary to observe that no ground can be found for supposing that any of the documents referred to by the council were not also alluded to in the Act of Parliament. If, indeed, we allow the imagination full range, and make it our only object to account for and remove whatever difficulties may come in our way, without the slightest regard to facts, it will be easy to reconcile all discrepancies; and, by putting forward some documents, as the "previe lettres" of the Council, and others, as the "previe lettres" of the Parliament, we may silence at once all the doubts which may be raised by troublesome opponents;

but suppositions will then take the place of historic facts, and the mind will in vain endeavour to thread the tangled mazes of the labyrinth of speculation. Bearing, then, in mind this fact, that no evidence whatever exists to warrant us in supposing that any of the papers upon which the Act of Council was founded were suppressed in the Parliament; and remembering also that the second contract, the signature of which, by Mary, is said to have given rise to the clause "subscribed," was averred to be written by the Earl of Huntly, we may ask how, if we admit the theory of Mr. Laing, and believe the Act of Council to be true, can we acquit of falsehood that Act of Parliament which asserts the papers to have been "written halelie with her awin hand?" Either the Council must have recorded that which was untrue, or the description given by the Parliament was inconsistent with the actual fact. And such are the horns of the dilemma even upon the supposition of Mr. Laing.

But, in fact, the contract in question was not alluded to at all in either of the papers, since "divers her previe lettres" were the only documents which were named. Laing, indeed, controverts this position, by telling us that an ignorance of Scottish custom could have alone caused writers to forget that all species of documents are called "letters" in that language, at that period; and, consequently,

that the contract might have been included under this designation. But, since a contract between a queen and her subject, written by the hand of the Chancellor and witnessed by two persons,[22] could never be called a *previe* letter,—the name by which the papers are especially designated,—as, indeed, Mr. Laing does not attempt to assert or to prove it could; and since, in all papers subsequent to these two acts, a marked and accurate distinction is made between the letters and the contracts, it seems to be clear and evident that this contract was not included in this first judicial mention of the papers. Such, then, is the state of the argument. The Act of Parliament shows us by its language that the contract signed by Mary was not included among the papers which it cited in extenuation of the rebellion; Mr. Laing's explanation falls to the ground; and the difference between the two Acts remains as a proof of forgery which can never be avoided or overthrown.[23]

(22) A singular absurdity is committed by the rebels in making Huntly, the Lord Chancellor, engross the Contract with his own hand. "Thear was also a contract shewed unto us, signed with the Quene's hand, and also with Bothwell's, bearing date the fifth of Aprill, written, as it is said, with the Earl of Huntley's own hand, who, with one Thomas Hebourne, weare the only witnesses to the same." *Elizabeth's Commissioners, Cott. MSS. Calig.* C. I. fol. 198, apud *Anderson*, IV. ii. 60. *Goodall*, II. 141. Into such ridiculous contrivances did their eager desire to calumniate Mary's friends constantly betray them.

(23) I have not noticed Robertson's attempted proof of the

But two questions may arise in the mind of my reader, with regard to the point which has just been noted; each of which will deserve a brief reply; and the doubts which may occur to him will arise from the non-detection of this discrepancy at the time, and the great and obvious difficulty which exists of explaining the causes of this singular variation. The first, indeed, will be confined to those to whom this subject is a new one; since all who are in the least degree acquainted with the minute history of the period will know that the proceedings of Murray's Council were secret, and its records have only been laid open to us by the hand of time; and Mary's friends were of course unable to expose that the existence of which was unknown to them: but the second point is one of much more intricacy and difficulty. It will be necessary to bear in mind, that while no distinct evidence exists to show that these papers were actually produced in either the Parliament or Council, there is very strong evidence to prove that this was not the case, and that they were merely mentioned in the Act as a justification, without being exhibited to the members; for in that same Parliament, and five days subsequent to the

inaccurate transcription of the Act of Council, because it does not in the least affect my position, which is based on an admission, for argument's sake, of the emendation of Laing. But his gross fallacies have been most victoriously exposed by Whitaker (III. 328.)

passing of the Act against Mary, a bill of attainder was carried against Bothwell, in which he was accused of having forcibly ravished the Queen's person, kept her prisoner, and compelled her by fear to marry him; and also of having captured Huntly at the same time;[24] while the slightest glance at the letters would have shown the members that, according to them, the seizure was contrived and arranged by Mary, and Huntly was the messenger between Bothwell and herself for all its arrangements. And the mere mention of the letters in the Act does not by any means prove that they were produced; especially when such strong presumptions to the contrary exist. For my own part I do not think that the rebels desired to produce the letters at all; for, even on the 7th of December, when their charge and the Act of Parliament had been given in, they endeavoured to induce the Commissioners to receive the mention of them in that as a sufficient proof of their authenticity, without their actual exhibition—a course of conduct which renders it extremely likely that they were not produced in the Scottish Parliament; and it seems very probable, that, at the period of which we now speak, December, 1567, they did not exist in a tangible form at all; for, if we suppose that they did, whether real or forged it matters not, it is

(24) Act of Parliament, iii, 8.

almost impossible to account for this variation; while, on the other hand, it seems not at all unlikely that, with the vague shadowing out of their plan floating in their minds, they intended at first to have signed the letters; but then, reflecting on the difficulty of believing that a woman of sense would affix her name to such foul matter, altered their plan before it was too late, and described them, in the Act of Parliament, as written, but not subscribed—the form in which they were afterwards produced before the Commissioners in England. An error in the description of that which did not exist might easily take place; but that the Clerk of the Council, having the letters before him, should call them subscribed when they were not, as Mr. Hume supposes, is so difficult to believe that few will be indisposed to join in the remarks of Madlle de Keralio; who says, after reciting his explanation, "Est-ce là une explication digne d'un historien tel que Hume! Des lettres, vraies ou fausses, sont produites, un Secrétaire étourdi en rédige l'exposé; tout y est renversé, l'ordre y est altéré, le Secrétaire est négligent à l'excès, le tribunal insensé; mais il ne resulte pas moins de tout ce désordre, que l'authenticité de ces lettres est constatée. Où en seroit la société si toutes les affaires, tant particulières que publiques, étoient ainsi jugées?"[25] And very few

(25) L'Histoire d'Elizabeth, Reine d'Angleterre, III. 367.

will fail to echo her sentiments when she exclaims, "Quel est l'aveuglement de l'esprit de parti, si un historien peut se satisfaire lui-même par des semblables raisonnemens!"

Tracing their onward history, we meet with no further mention of them until the preparation for the Conferences in England; and then we find Murray doing that which a man who had really captured the letters, and was convinced of their authenticity, would have been the last to do—expressing doubts of their sufficiency for the end he had in view, and making a most infamous proposal to Elizabeth to admit them as evidence against Mary, not if the originals should be in her handwriting, but if they agreed with certain copies which he had transmitted for her inspection.[26] How different from this would be the conduct of a man who felt assured that his documents were genuine papers! Such an one would have advanced boldly to the contest; he would have produced his proofs at once, and not a doubt of the goodness of his cause would ever have crossed his upright mind. But the forger, conscious in his heart of the utter falsity of his allegations, and feeling the insub-

(26) "We wald ernestlie desyre, that the saidis copies may be considerit be the juges that sall haif the examinatioun and commissioun of the matter, that they may resolve us this far, in cais the principal agrie with the copie, that then we pruif the caus indeed."—*Murray*, apud *Goodall*, II. 76.

stantiality of his proofs, drew cautiously towards the goal, and fearing to bring forward his fabrications into the broad light of day, attempted, by previously prejudicing the minds of the judges, to make his path more easy; and strove, by an infamous arrangement, to secure success, by a collusion which would utterly defeat the ends of justice. And when all was prepared, and it remained only for him to obtain the letters from the hands of Morton, Murray gave him a receipt for the whole, in which, with that reckless violation of common decency which often accompanies aggravated guilt, he testified that the Earl of Morton had "trewlie and honestlie observit and kepit the said box, and haill writtis and pecis forsaids within the same, without ony alteratioun, augmentatioun, or diminutioun thairof in ony part or portion,"[27] ever since it first came into his possession; a fact which, even if true, could not possibly be testified to by Murray, who did not arrive in Scotland from France until very nearly two months after the date of the asserted capture by the Earl of Morton of the documents in question.[28]

At length the Conferences commenced, and then were the letters shown to the Commissioners of the

(27) Sept. 16, 1568, apud Goodall, II. 90.

(28) "1567, August 14. My Lord of Murray . . . returned furth of France."—*Murray, Cott. MSS. Calig.* B. IX. fol. 247, apud *Anderson*, II. 277. *Goodall*, II. 251.

English Queen. But the exhibition was not a public and an open one; for papers such as these were but ill-fitted to bear the broad light of day; and a plan was adroitly devised by which the full tale of slander was poured into the ears of the English Commissioners, while the friends of Mary were kept in ignorance of the transaction, and thus denied the power to answer; for the underlings of Murray were sent in a private character, and not as Commissioners, as they protested, to exhibit the papers to the Commissioners of the English Queen.

But the papers thus averred to be the genuine productions of Mary, were letters in the Scottish language; in fact, that same Scottish version which was afterwards put forward as a translation, and which must have been so if the letters were genuine at all, since Mary never wrote in any other language than the French before her captivity in England; but which was, nevertheless, then produced and sworn to as "her own hand writ indede." Happily for the cause of truth, the proof of this is so clear and so perfect, that not a doubt can remain in the mind of any one who examines with candour the evidence in its confirmation; and happy it is that such is the case; for conduct so blind, so apparently insane, would seem well to justify incredulity, and to afford an ample excuse to those who should refuse to

accord their belief to the statement which I have made.

When the Earl of Murray, through his Commissioners, made this exhibition of the pretended letters of Mary to the representatives of the English Queen, these gentlemen seem to have been unwilling to trust entirely to memory for the recital to their Mistress of their contents; and while the papers themselves were yet before them, they made an abstract of the most material of their contents, which they forwarded to Elizabeth, with the letter which announced the exhibition of the documents; and this has been preserved to the present day, denominated by its writers "A brief note of the chief and principall poincts of the Queen of Scottes Lettres written to Bothaill, which may tend to her condempnation, for her consent and procurement of the murder of her husband, as farre forthe as we could by the readinge gather;" and especially referred to by them in their letter, as a document in which they had "noted the chief and speciall points of the said letters."[29] In order, however, to prove the position in question, it will not be necessary to transfer the whole document to our pages; but it will be sufficient to give a few instances as a specimen of the whole; and to save incessant

(29) Cott. MSS. Calig. C. I. fol. 198, apud Anderson, IV. ii. 68. Goodall, II. 143.

repetition, I have put the passages from the Scotch version of Mary's assumed letters in italics, while the abstract of the Commissioners remains in the usual type.

"She wrote to Bothaill from Glasco, that the Erle of Lenox did blede at the noose and mowthe, willing the said Bothaill to ghesse what presage it was." "*This day his Father bled at the mouth and nose; ges quhat presage that is?*"

"She wrote, also, that she was about a worke that she hated greatly; and that she lied and dissembled to get creadite with her husband, and to bringe her faschious purpose to passe, confessing herselfe therein to do the office of a traiteresse, which, were it not to obey Bothaill, she had lever be dead then do it, for her harte did blede at it." "*I am in doing of ane work that I hait greitly. Have ze not desyre to lauch to sé me lie sa weill, at ye least to dissembill sa weill? I am now passand to my faschious purpose. Ze caus me do almaist the office of a traitores. Remember how gif it were not to obey zow, I had rather be deid or I did it; my hart bleidis at it.*"

"Also she wrote—sayinge, alas! she never deceaved anie befoir; remittinge herselfe altogether to the will and pleasure of Bothaill, wherein she wold obey him, whatsoever come thereof—requyryng him to advise with himself if he coulde fynde owt anie

other secreat invention by medicine; for her husband was to take medicine, and the bath also at Cragmiller." *"Alace I never dissavit ony body; But I remit me altogidder to zour will. Quhatsoever thing sall come thairof, I sall obey zow. Advise tó with zourself gif ze can find out ony mair secreit inventioun by medicine, for he suld tak medicine and the bath at Cragmiller."*

"She biddethe Bothaill to burn the lettre, for it was over dangerous to them, and nothinge well said in it; for that she was thinkinge upon nothinge but fascherie, requyringe him that sithens to obey him, her dear love, she spared neither honour, conscience, hazard, nor greatnes whatsoever, that he woulde take it in good parte, and that he wold not see her whose fained tears shoulde not be so much praised as the faithefull travailles which she susteyned to merite her place, for the obteyninge whereof against her nature she betraied him that might impeche it, prayinge God to forgeave hir, and to geave unto Bothaill, her only love, the happe and prousperitie which she, his humble and faithfull love, wishithe unto him, hoopinge shortely to be another thinge unto him, for the rewarde of her yrksome troubles." *"Burne this letter, for it is ovir dangerous, and nathing weill said in it; for I am thinkand upon nathing bot fascherie. Now séing to obey zow, my deir lufe, I spair nouther honour,*

conscience, hasarde, nor greitnes quhatsumevir; tak it, I pray zow, in gude part. Sé not hir quhas feinzit teiris suld not be sa mekle praisit nor estemit, as the trew and faithfull travellis quhilk I sustene for to merit hir place. For obtening of the quhilk aganis my natural, I betrayis thame that may impesche me. God forgive me, and God give zow, my only lufe, the hap and prosperitie quhilk zour humble and faithfull lufe desyris unto zow, quha hopis to be schortlie ane uther thing to zow, for the reward of my irksome travellis."

"Finally, she wrote to Bothaill, that, accordinge to her commission, she wolde bringe the man with her; prayinge him to worke wisely, or els the whole burden wolde lye on her shoulders, and specially to make good watch, that the bird escaped not owt of the cage." "*According to my commission, I bring the man with me. In case ze work not wysely, I sé that the haill burding of this will fall upon my schoulderis. Mak gude watch, gif the bird eschaip out of the cage.*"

Tedious as this comparison may appear, it is yet of the most momentous importance in its bearing upon the history of the letters; for thus, by a coincidence of expression, and even of words, which could under no supposition be considered accidental, we are enabled to show that these celebrated letters were first exhibited in the Scottish language, and

sworn to as the handwriting of Mary, in that version. And thus, by a careful, but hitherto neglected examination of this document, we confirm, in the fullest manner, the conclusion of Mr. Goodall, that those French Letters, afterwards sworn to as the originals, were mere translations from this Scottish copy. And the conclusion is irresistible, that, being produced in Scotch, they were not written by Queen Mary.

Direct testimony was not wanting even at this time to evince the forgery of the Letters; for, even at the time when they were produced in this secret manner, Lethington, one of the men who exhibited them,[30] avowed to the Duke of Norfolk that they were forged, by moving him to think Mary innocent of the charges which they had been brought forward to support;[31] charges which could never be overthrown, or even disputed, if those letters were really written by herself. But, though the Scottish Queen was prevented from becoming conscious that they were thus used on this occasion, the Act of the Scottish Parliament had already made her aware of their asserted existence, and she was, therefore, able to instruct her deputies concerning them. And she says, "In cais thay alledge thay have ony

(30) "And so they sent unto us the Lord of Lethingtoun."—*Elizabeth's Commissioners, Cott. MSS. Calig.* C. I. fol. 198, apud Anderson, IV. ii. 66. *Goodall*, II. 140.

(31) Murdin, 164.

writingis of mine quhilk may infer presumptioun aganis me in that cause, ze sall desyre the principallis to be producit, and that I myself may have inspectioun thairof, and mak answer thairto. For ze sall affirm, in my name, I never writ ony thing concerning that matter to ony creature: And gif ony sic writingis be, thay are false, and feinzeit, forgit and inventit be thameselfis, onlie to my dishonour and sclander; And thair ar divers in Scotland, baith men and women, that can counterfeit my hand writing, and write the like maner of writing quhilk I use as weill as myself; and principallie sic as are in companie with thameselfis."[32] How far this fair and equitable demand was assented to by Elizabeth, we have already seen, in considering the history of the Conference in England.

When we follow the letters from York to London, and examine their first production there, we shall find that it was still in private, before the Commissioners of Elizabeth; no one being allowed to be present as a representative of Mary; while the only

(32) Mary, apud Goodall, II. 342. "Thair are sindrie quha can counterfeit hir handwrit, quha have bene brocht up in hir cumpanie, of quhom thair are sum assistand thameselfis, as weill of uther natiounis as of Scottis, as I doubt not bot zour Majestie, and divers utheris of zour Hienes's court, has sene sindrie letteris sent here from Scotland, quhilk wald not be kend by hir awin hand writ."—*Leslie to Elizabeth*, Dec. 17, 1568. *Cott. MSS. Titus*, C. XII. *Goodall*, II. 388.

proof of authenticity offered was the vehement assertions of the accusers; and for the accuracy of the hand-writing not only was no collation made of them with undoubted documents,[33] but not a single friend of Mary's was allowed to see them, or to inspect them for the purpose of detecting the fraud, if any such there were; and when they had been read and copied in this partial assembly, the Earl of Murray required the originals to be re-delivered; and they were handed back to him,[34] and committed securely to his keeping, for ever beyond the reach of the advocates of Mary.

But, after Elizabeth had submitted to the Scottish Queen the three alternatives—one of which she afterwards accepted—it was thought advisable to communicate the whole proceedings which had taken place to some other members of the Council, in order that they might assist the Queen in forming a judgment upon these momentous transactions.

(33) It appears very plainly upon the face of the records, that the collation mentioned in the journal of the 8th, was between the originals and the copies for verification of contents; and it is, therefore, only fair to admit that the explanation of Whitaker, upon which he founds a somewhat elaborate argument against the letters, is clearly incorrect.—*Whitaker*, I. 103.

(34) " Which seven wrytings being copied, were read in French, and a due collation made therof as neere as could be by reading and inspection, and made to accord with the originals, which the said Earl of Murray required to be redelivered, and did therupon deliver the copies being collationed."—*Cott. MSS. Calig.* C. I. fol. 241. *Anderson*, IV. ii. 151. *Goodall*, II. 235.

And, in consequence of this determination, the Earls of Westmoreland, Shrewsbury, Worcester, Huntington, Northumberland, and Warwick, were called to the Council; the whole of the past transactions communicated to them, under an oath of strict secrecy,[35] and the pretended originals of the letters produced for their inspection. And the minute of that meeting—which has come down to us interlined and altered in many places by the ever-meddling hand of Cecil,[36] which has so garbled and transformed the genuine records of the age, that their authority as evidence is almost destroyed—goes on to say, that they were compared for the manner of writing and fashion of orthography with sundry other letters produced—not by Mary's friends, for none of these were allowed to be present, but by Elizabeth, her arch enemy, the cause of all the woes of her life, and the associate and ally of her rebellious subjects, from their insurrections against her mother down to this last attack upon her honour and reputation. Such a

(35) "Hir Majesty thought good, not knowing how by common report they might be therof informed, to let them understand truly and playnly the state of the same, as herein making them her Counsellors, specially to keep the same secret to themselves." *Cott. MSS. Calig.* C. I. fol. 261. *Anderson*, IV. ii. 171. *Goodall*, II. 255. "Howbeit under an oath of secresy."—*Camden*, I. 117.

(36) "Cecil—quha dressis all thair drauchtis."—*Mary*, apud *Strickland's Letters of Mary*, I. 101.

collation as this, made by a foe in a secret assembly, every member of which was bound to silence by a solemn oath, affords the strongest proof of the timid fears of those who put forward the letters; and, consequently, furnishes the most vehement presumptions of their fabrication. But even this packed tribunal did not declare them to be genuine; nor did they express, in the slightest manner, their satisfaction with the collation which had taken place. In the minute corrected by Cecil, of which we have already spoken, we are indeed told that the assembled peers, after thanking her Majesty for her condescension in imparting to them the state of this great cause, declared that they had seen such foul matters as they had never thought to have beheld, and that they acquiesced in the propriety of Mary's exclusion from the Court until she had disproved the charges against her;[37] but beyond this they did not say a word, even in this record of their proceedings. The various depositions which

(37) "First acknowledging themselves much bound unto hir Majestie, that it had pleased hir to impart to them the stait of this great cause, in so plain manner, as they did perceive it; wherin they had sene such foul matteris, as they thought truly, in their consciences, That hir Majestie had just cause herein given to make to the said commissioners such ane answer, being as reasonable as the case might bear; and the rather for that they could not allow it as meet for hir Majestie's honour to admit the said Q. to hir Majestie's presence, as the case now did stand."—*Cott. MSS. Calig.* C. I. fol. 252. *Anderson*, IV. ii. 178. *Goodall*, II. 260.

were also shown to them, contained foul matter enough to excite their horror; and, in addition to this, the atrocity of the contents of the whole would not be lessened by a conviction of its forgery; and, with regard to their approval of her decision, those who know anything of Elizabeth, or are at all acquainted with the sweet disposition of the Virgin Queen, will hardly require to be told that few of her subjects, even of the highest rank, would have dared openly to condemn a course of conduct which it was well known she was firmly resolved to follow.

But there is a species of evidence more convincing than such garbled records, which is safe from the interpolator's pen, and will serve as an infallible test of the real opinions of these nobles; and this will be found in the conduct which they subsequently pursued towards Queen Mary. And we find that of the Commissioners, the Earls of Sussex, Leicester, and Arundell; of the Privy Council, the Earls of Derby, Pembroke, and Bedford; and of the additional peers who were called in to assist them, the Earls of Northumberland, Westmoreland, and Shrewsbury,[38] all joined in

(38) "As the Duke of Northfolke, the Erle of Pembrooke, great Steward of England, the Erle of Arondell, the first Earle of England in degree, and the Erle of Lecester, great Master of her horses, and moste tender unto her." *Leslie*, 55, apud *Anderson*, III. "Amongst these were the Earles of Arundell, Northumberland, Westmerland, Sussex, Pembroke, and Southampton, with

recommending a marriage between Norfolk—himself a Commissioner—and Mary; while Norfolk,[39] Northumberland,[40] Westmoreland,[41] Arundell,[42] and Pembroke,[43] joined in rebellions in her favour. Arundell died in the Tower, after eleven years' imprisonment, for plotting in her behalf;[44] and Norfolk[45] and Northumberland[46] suffered on the scaffold for having raised their hands nobly in her defence.

Such was the conduct of many of those men who alone inspected these celebrated letters; and, admitting that position of Dr. Robertson—that the sentiments of contemporaries, in a situation to be thoroughly informed, must outweigh mere conjectures formed at this distance of time—how strongly do these actions demonstrate the feeling of the contemporaries of Mary! It is, indeed, utterly impossible to account for their conduct, if we insist upon their conviction of her guilt, while they afford to the unprejudiced mind the strongest proof of their assurance of her innocence; an assurance which led the highest noble in England to seek her for his bride, and which induced others, with that chivalric spirit of which there were some traces

many Barons, yea, and Leicester himself."—*Camden*, I. 127. *Spotswood*, 230. *Haynes*, 525.

(39) Camden, I. 132. II. 25.
(40) Camden, I. 132.
(41) Ibid, I. 132.
(42) Ibid, II. 25.
(43) Ibid, I. 132, II. 7.
(44) Ibid, IV. 80.
(45) Ibid, II. 40.
(46) Ibid, II. 51.

left in that age, though it has mournfully departed from our own, to peril their liberty and their lives in her glorious cause. And how plainly does this show the futility of that assertion which ignorance first put forward, which prejudice has perpetuated, and upon which one of our recent historians has laid so vehement a stress,—that the general opinion of the statesmen of England was in favour of the authenticity of the letters![47] Of such opinion no proof has been adduced, with the exception of a letter of Cecil's,—one of Mary's worst and bitterest foes,—and the official communications of the Commissioners at York; in which their remarks are always qualified by the clause, "if that which these men say be true;" while, on the other hand, all their actions speak loudly against the supposition, and tend most strongly to confirm the assertion of Leslie, who declares that the nobles of England that were appointed "to heare and examine al suche Matters as the Rebels should lay against the Queene, have found the said Queene innocent and guiltlesse of the Death of her Husband; and have further also encreased and renued the good Estimation and greate Hope they alwaies had of her, now perfectly knowing her Innocency."[48]

(47) Turner's Modern History of England, IV. 99, note 167.

(48) Leslie, 80, apud Anderson, I. Cecil, in order to avoid this statement, acted as many of Mary's foes have done; he mis-

But some who have been accustomed to place great reliance on illustrious names, and who have been willing to receive the assertions of distinguished writers, without enquiring very particularly into the authorities by which they are supported, may be inclined to correct me here, by asserting that the members of the Privy Council, and their temporary coadjutors, were not the only persons who saw and examined these supposititious letters. True, indeed, it is, that Sir James Mackintosh—a man from whom, if we judged from the principles which he preached, we should expect at least liberality of spirit—declares, that these documents were seen at Edinburgh, at York, and Westminster, by hundreds of persons, friends as well as foes to Mary, but most of whom knew her hand-writing ;[49] and we might be inclined to credit a statement put forward with such confidence and boldness. But, of all the malignant falsehoods which have been uttered by the defamers of Mary Stuart, in order to sustain their otherwise sinking cause —and how many and how specious they are, none who have not entered into the controversy can be able to conceive—this is at once the most malicious

represented Leslie's assertion, and then refuted his own fiction. —*Cabala*, 174. *Lingard*, VIII. 34, note.

(49) Mackintosh's History of England, III. 93, in Lardner's Cabinet Cyclopædia.

and the most groundless. At Edinburgh they were not produced at all, as has been shown by the most vehement presumptions; and, if they had been, it would have been in a Parliament of men whose very lives depended on the ruin of the Queen, and many of whom were so far from being good judges of hand-writing, that they could not write themselves;[50] at York they were professedly exhibited in private to three Commissioners; and even at London, the Lords of Privy Council, who, if all were present, numbered only twenty,[51] four Commissioners,[52] and six additional peers, called in on the 14th and 15th of December, were alone favoured, and then under a strict oath of secrecy, with their inspection. And yet, in the face of all these facts, which are proved by every record to which we can obtain access, an historian, who claims for himself the character of an impartial writer, pollutes his pages with a falsehood so clear as this, and draws from his own fiction an argument to sustain his slanderous defamation of an oppressed and unprotected woman! But I can trust myself to say no more, for honest indignation would assume the guidance of my pen, and expressions which had

(50) See their Bond of Association, in Anderson, II. 231, in which many signed by notary, with their hands at the pen.

(51) The List of the full Privy Council is in Camden, I. 12.

(52) The Commissioners were eight in number, but four were Privy Councillors also.

better be avoided might present temptations too powerful to be resisted.

In vain did Mary, as we already know, demand a sight of the original papers; in vain did she apply for copies; which were refused, unless upon a condition which it would be impossible to fulfil—a promise to answer fully to such copies, while the proof of forgery, on which all would depend, could be drawn only from the originals themselves;[53] and, in fine, they were sent back again with Murray into Scotland, and a final examination of them prevented for ever by those who had always thrown obstacles in its way; and they have since altogether disappeared. To most persons it will appear probable that this disappearance may very easily be accounted for, when we consider the fears which Murray entertained of their sufficiency, and his eager impatience for their instant return into his hands; and his party will be stamped at once as the destroyers of papers which had served their turn, and could now be of use no more; and, since no proof whatever has been produced against a conjecture which seems so very consistent with probability and truth, the reader will have no reason to distrust an impression, which is so very likely to arise in his mind, that the

(53) Mr. Laing thinks this quite easy, and concludes that she was guilty, because she did not venture on this impossible undertaking.—*Laing*, I. 206, 219.

ultimate destruction of these documents can be only attributed to the same cause which prompted the constant concealment to which they were subjected in England—a conviction of their forgery, and a knowledge of their inability to sustain any examination.[54]

Such, then, is the history of these letters, from the first hint of their pretended existence down to their final exit from the scene. The desire to avoid fatiguing my reader with over critical disquisitions, has induced me to pass over some minor points in silence, and to treat upon others less fully than they deserve; but those circumstances which have been noted—the evident falsity of the account of their first capture—the great and irreconcileable discrepancy between the descriptions of them—their appearance in two different languages—the constant care to prevent them from being publicly inspected, and their final and hurried disappearance when an inspection was demanded as the condition of reply,—all seem to me to afford strong ground for suspicion of their forgery; and the contents which we shall now examine will give certainty to our doubts, and will place the fabrication of the letters upon the firmest and most enduring basis.

(54) Appendix A.

CHAPTER II.

CRITICAL EXAMINATION OF THE FORGED LETTERS, ASSERTED TO HAVE BEEN WRITTEN BY MARY, QUEEN OF SCOTS, TO JAMES, EARL OF BOTHWELL—DEMONSTRATION OF THEIR FORGERY FROM INTERNAL EVIDENCE.

I. (1.) THE assumed letters of Mary Stuart to the Earl of Bothwell have been transmitted to us in three separate and distinct versions;—a Scotch, from which the Commissioners at York made those extracts which they forwarded to Queen Elizabeth; a Latin, three letters of which appeared at the end of the edition of Buchanan's Detection, in that language; and a French, which we are told is declared by the editor to have been translated by himself from the Latin copy. But, it will probably be asked by the reader, where is the original French in which these documents were couched? Is it possible that papers of such importance should have been suffered to be lost, and that the enemies of Mary, when they published these materials for her defamation, should have neglected to put forward those original papers which were in their own

possession? Can it be believed that at the time when such originals were in existence in Scotland, and collated copies of them in the hands of the English Court,[1] any writer in the cause to which they relate would have gone through the tedious and useless process of re-translating them into French from a Latin version, when the original French would have been easily accessible to him? Such are the questions which must, of necessity, present themselves to the minds of all; and, in order to afford them an adequate reply, it will be necessary to propound the theory by which all these difficulties may be speedily removed: that the French letters, as published in the French edition of the Detection of Buchanan, and said to be there declared to have been translated by the editor from the Latin, were, in fact, the only originals which were produced at the English Conferences.

But, in opposition to this position, it will be urged that the statement of the French editor is explicit, and incapable of misconception, since he says, "Les epitres mises sur la fin avoient esté escrites par la Royne, partie en François, partie en Escossois, et depuis traduictes entièrement en Latin; mais n'ayant cognoissance de la langue Escossoise, j'ay meux

(1) "The copies of all quhilk letteris, conferrit, red and considerit, wer deliverit to Mr. Secretary (Cecil), in quhais handis thay remane."—*Murray*, Oct. 15, 1569, apud *Goodall*, II. 88.

aimé exprimer tout ce que j'ay trouvé en Latin, que me monstrant trop scrupuleux au changement d'une syllabe, te frustrer de l'eclaircissement que tu y auras." But what does this statement obviously mean? Can he intend to say that, having no knowledge of the Scottish language, he has been obliged to translate the papers, which were originally written in French, back again into that language from a Latin version? The absurdity of such an idea is sufficient for its own refutation; and an explanation of his real meaning may be very easily given if we attend carefully to his statement. Classing all the papers as "epitres," just as Murray calls all the documents which he produced "letteris,[2]" he states, what was in truth the case, that some—the letters and sonnets, with the first contract—were in French; while a part—the second contract—was in Scotch; and he expresses, that, in deciding between the two courses which were open for his adoption—either to print *all* in the original, in which case the Scotch papers would be incomprehensible to his French readers, or to sacrifice originality to the power of being understood, and translate the Scottish paper into French, through the medium of the Latin—he preferred rather to adopt the latter course, than, "by showing himself too scrupulous in the change of a syllable,"

(2) Apud Goodall, II. 88.

and insisting on printing all in the original, to debar his French reader from information by presenting to him a Scottish paper which he could not comprehend. This explanation of his real meaning seems so clear and obvious, that it appears wonderful that his simple statement should have been misconstrued so long; and we are almost inclined to smile at the absurdity of those who have concluded that an editor should have been compelled to present an originally French paper to his readers by translating it into French from a Latin copy, because he had no knowledge of the Scottish language!

The only instance in which any of the letters were published in Latin was at the end of an edition of the Detection of Buchanan in that language, where three only were appended. It might be supposed, by those who advocate the opinion that the French editor translated all the letters from the Latin, that he had rendered the whole of the work from that Latin copy; but it is perfectly evident that it was not so, since he appends to his book many papers which were published only in the English and Scotch, and not in the Latin editions;[3] and he translates altogether a small tract against the Duke of Norfolk, which

(3) Detection, in Jebb, I. 321, compared with the editions in Jebb, I. 270, and Anderson, II. 92.

had been printed only in the English tongue,[4] and the typographical errors which had crept into the English Detection were all minutely copied into his text. And, indeed, his declaration that he did not understand Scotch, does not at all involve an ignorance of English, since, although to an Englishman the Scottish dialect of that time is one not very difficult to comprehend after a little practice, it is yet so far different as to present to a foreigner almost insuperable obstacles. The name of the printer, and place of publication stated, "Edinburgh, Thomas Waltem," are admitted by both parties to be obviously fictitious; but in this state of uncertainty a very hot controversy has been carried on between Robertson and Laing, who aver that it was printed in France, and Goodall, Whitaker, and Tytler, who are positive that London was the place of publication; and, loth as I am to dissent from the opinions of writers whose names can never be regarded with too great respect, and whose labours cannot be sufficiently appreciated by any who have not endeavoured to follow in their footsteps, I am yet compelled by justice to admit that in this instance our opponents are undoubtedly in the right. The date, on which Mr. Goodall rests his case, can never be depended upon as the basis of an argument when the accompanying circum-

(4) Jebb, I. 354.

stances of the place and printer's name are found to be fictitious ; while, on the other hand, the direct testimony of one contemporary,[5] and the negative evidence of another,[6] backed by the presumptions which Mr. Laing has adduced,[7] seem to prove, very sufficiently, that the work in question emanated from a French press.

It was printed, then, at Rochelle,—the grand nest of those seditious Huguenots, who combined the worst features of that persecuting spirit, which belonged, not to one body of religionists only, but to a particular age,[8] with the vehement profession of

(5) " Buchanan a depuis adjousté à ceste declamation un petit libelle du pretendu mariage du Duc de Norfolk, et de la façon de son proces, et le tout envoyé aux frères a la Rochelle, lesquels voyants qu'il pouvoit servir à la cause, l'ont traduit en Francois, et iceluy fut imprimée à Edinbourg, c'est a dire à la Rochelle, par Thomas Waltem, nom apostè et fait a plaisir."—*Blackwood, Martyre de Marie Stuart,* apud *Jebb,* II. 256.

(6) Innocence de Marie, preface, iii. and apud Jebb, I. 425. I think that this may be called a negative testimony on this point, since the writer, when he informs us that the French Detection was secretly sent all over France, " envoyé secrettement, et à cachette exposé, par la France," does not say that it was not printed in France—a circumstance which he would scarcely fail to mention, if such had been the case.

(7) The most important of these, are the observation of the French computation of the year, which did not prevail in England or Scotland, and the arrangement of all the dates in accordance with this system, the peculiarity of the type, and certain variations in orthography, rendered necessary by the absence of the letter *w* from the French founts.

(8) This assertion may startle some, but such persons are probably not aware of the rigour with which the Catholics were

attachment to religious freedom; making their character as odious as the same revolting combination is to all honest hearts in the early Scotch Reformers

treated in this country at this period, when freedom of conscience for all was so widely and so vociferously proclaimed. In 1568, an Act was passed, condemning any person who reconciled another to the Church of Rome, to the penalties of treason, and adjudging the like sentence to any Jesuit, or seminary priest, who should remain in the kingdom; while the relieving such persons was made punishable with transportation, and confiscation of property. In 1581, another enactment made it high treason to be reconciled to Rome, and imposed a fine of two hundred marks (133*l.* 6*s.* 8*d.*) on any one who should say or hear Mass; and in the same year, another law declared that all persons not attending the Established Church, should be fined twenty pounds a month, and committed to prison in default of payment. A law, in 1587, condemned to a penalty of 100*l.* any person who should fail to have his child baptized by a protestant minister; and gave power to the sheriffs to break open a house where popish recusants might be. And a statute, passed in 1627, enacted, that any person sending his child to be educated in a popish seminary beyond seas, should forfeit 100*l.*, while the child was made incapable of inheriting his property, or making any purchase; and, by the same law, any person going himself, or sending others beyond the seas, to be bred in Popery, was disabled from sueing in any action at law or equity, holding the office of executor, executing any deed or legacy, or bearing any office; and forfeited all his lands, tenements, hereditaments, rents, annuities, offices, and estates of freehold, for his natural life. In 1700, so little had this spirit abated, that a statute, then passed, offered a reward of 100*l.* for taking and prosecuting a popish Priest, or Bishop, for saying Mass, or exercising any of his functions, and adjudged him, when taken, to suffer, either for this offence, or for keeping a school, perpetual imprisonment; and, in 1714, it was decreed that children sent beyond seas should forfeit their estates; and if, on their return, they did not conform, their property should pass to the nearest of kin who might be protestants. And, even in our own enlightened age, so late as 1829, an act of the British Parliament made

of that time, and the Puritans who fled to the shores of New-England in search of that liberty of conscience, which, when they had once found it for themselves, they denied to all who dared to differ from them in religious belief, drawing down upon them the indignant scorn of all who value consistency of conduct;—and it was evidently translated from the English edition. But, when these points have been proved, it may be asked whence he could have derived those French letters, the originals of which, as produced at the Conferences, I have asserted to have been printed by him; and it may seem to some of my readers impossible to reconcile my position with the facts which have been stated. A contemporaneous author, however, of undoubted authority, steps in to our aid, and relieves us at

it a misdemeanour to admit any individual a member of any religious order, and decreed the transportation of such persons from the kingdom for the term of their natural lives, to such place as his Majesty may see fit. And, though these laws are not acted upon now, it was not so at the period of the Reformation; for, in 1626, Lord Scroop was accused of favouring the Catholics, because he had convicted only one thousand six hundred and seventy recusants in the East Riding of Yorkshire; and out of two hundred and four persons who suffered martyrdom for the Catholic faith in the reign of Elizabeth, fifteen only died because they denied the supremacy of the Queen, one hundred and twenty-six suffered merely as priests, and the remainder simply for having been reconciled to the Church of Rome. *Hallam's Constitutional History*, I. 223. *Rishton's Diarium.* And these were the means taken to promote that movement which is vaunted as the highest triumph of the independent mind of man!

once from the difficulty which seems to oppress our cause; for Blackwood,—a very respectable advocate of Mary in her own age, whose work, although marred by the frequent adoption of that custom of the ancients so dangerous to historic truth, the introduction of orations which are assigned to the principal individuals, is yet a very valuable addition to the defence of Mary,—tells us, when speaking of the Detection, that "Buchanan,—a depuis adjouste a ceste declamation un petit libelle du pretendu mariage du Duc de Norfolk et de la façon de son proces et le tout envoye aux freres de la Rochelle, lesquels voyant qu'il pouvoit servir a la cause, l'ont traduit en François."[9] Here, then, we find that Buchanan sent the whole to his friends, to be translated and published by them; and since he acted as conservator of the letters while in England, we may almost affirm it as certain that he would have transmitted a perfect copy of them, to be printed in that French translation.[10] But conjecture is not left to stand alone here in support of this position; for a fact of the utmost moment lends its powerful

(9) Blackwood; Martyre de Marie Stuart, apud Jebb, II. 256.

(10) The supposition of Laing, and his party, that the French editor translated all the letters from the Latin, renders it necessary that Buchanan should have sent a MS. copy of all the Latin, since only three were printed in the Latin Detection. And how much more probable it is that he would have sent copies of the original French letters

aid, and adds positive certainty to our suspicions. In the English and Scottish editions, one sentence of the French was printed at the head of each letter, in order to mark the original to which it belonged; and the perfect concurrence, word for word, of the French version which we possess, with those sentences, so far as they extend, seemed to prove almost beyond the reach of doubt that they are identically the same.

But the adversaries of Mary have attempted to elude even this powerful argument by an hypothesis the most extravagant and unfounded of all that have ever been put forward in the present controversy. Dr. Robertson, unable to combat the arguments which Mr. Goodall had urged, with a force and precision of thought and language peculiarly his own, and interpreting the statement of the French editor as meaning that all the letters had been translated into Latin, and that he had rendered them from that version, has insinuated (for his prudence deterred him from plainly asserting it) that our French copy is not the original, but that that French original has been, by some unknown means, unaccountably mislaid; and because the same editor declares that the papers which he publishes, had been written "partie en François, partie en Escossois," the learned Doctor, overlooking the very clear and obvious explanation which refers the former expression to

the letters, the sonnets, and the short contract, and the latter to the long contract, has chosen to imagine that the Editor has mistaken the meaning of the French detached sentences, and imagined them to be parts of each letter, the Queen beginning the letter in French, but, changing her mind in the middle of the first sentence, breaking off with an " &c." and then going on in Scotch. And from these very singular premises he has drawn the still more singular conclusion, that he adopted these sentences and then appended his own translation to them; endeavouring thus to show, that these sentences are a relic of some lost original, and by this means to avoid, or overthrow, the very strong argument which may be deduced from their complete coincidence with those which are appended to the Scottish letters.[11] And Mr. Laing, while he has the good sense to eschew Dr. Robertson's absurd idea of the origin of the description of the letters, still adheres to his conclusion, and maintains the superior originality of the initial sentences of the various letters.[12]

If the explanation which has been given of the real sense of the assertion of the French editor be admitted, this argument will, of course, fall to the ground at once; but it is curious to observe, that it will equally do so if we admit, for a moment, the interpretations of these historians, and believe him

(11) Robertson, II. 363. (12) Laing, I. 271.

to have averred that all the letters were translated into Latin, and that from thence he rendered them into the French, in which they appeared; and the evidence, on which the position has been attempted to be founded, utterly overthrows the position itself.

In the first place, it will be necessary to observe that no discretionary power, with regard to portions of evidence, can be exercised by an historian in a case like this. Either he must wholly reject, or he must receive undiminished and entire, the evidence of his witness; but by no garblings of his authorities, no studied omissions of portions of the testimony on which he rests his cause, can he be allowed to bend to his will a statement, which, without being submitted to such a process, would fail to satisfy his desires. Admitting, then, for the moment, in order to place the argument upon its proper footing, the interpretation which these writers have seen fit to impose upon the very plain and simple statement of the French editor, we may ask, What is it that he really says? If we turn to the portion of his preface in question, we shall find him declaring, according to the doctrine of these historians, that all the letters were translated entirely into Latin, and that he preferred to express all that he found in the Latin. Yet, where do we find the slightest hint of this original initial sentence of

which we hear so much? Have we any intimation of its existence here? On the contrary; can anything be plainer than the declaration, as these men will have it understood, that all was translated from the Latin? If, however, the initial sentence must be brought in, we must at least admit his statement too, and then we must expect to find it placed at the head, breaking off in the middle of the sentence with an "&c." and then the very same sentence repeated, but translated out of the Latin, since nothing can be brought to refute his assertion that he translated all out of the Latin. But, since this assertion of Dr. Robertson's, in which Mr. Laing has joined, is supported by no particle of evidence beyond the mere conjectures of these writers; and is, moreover, overthrown by the very passage on which it is altogether based; and since, on the other hand, a calm investigation of the statement of the French editor has led us to perceive that it has hitherto been much misunderstood, and is, in fact, consistent both with historic truth, and with the position that his French letters are the only originals that ever existed, we need not deliberate long, as it seems to me, before coming to a decision, but may at once pronounce that the argument which may be drawn from the concurrence between the initial sentences of the copies remains undisturbed, and proves, beyond dispute, the point in question.

And, just as conviction has thus settled upon our minds, a positive witness of no mean authority, when his assertions tend to the exculpation of Mary, comes forward and rivets it indelibly in our hearts. For John Knox informs us that, "In a cabinet, or box, Bothwell had kept the letters of privacy he had from the Queen, By the taking of this Cabinet, many particulars between the Queen and Bothwell wer clearly discovered. These Letters wer after printed, they were in French, with some sonnetts of hir own making."[13] And as no other French Letters than those we have now were ever printed, this positive testimony from one who had every opportunity of knowing the truth, since he was himself one of the rebels, and whose authority the enemies of Mary cannot afford to despise or to reject, seems to establish beyond controversy the point in dispute; upon which I dwelt somewhat at length, because it is one of the most essential importance to the cause of Queen Mary. The French Letters, then, which we now possess, are undoubtedly the very pretended originals which were produced by the rebels to justify and sustain their accusation of their Queen.

2. Having thus established the authority of the letters upon which we are to comment, we shall be

(13) Knox, apud Tytler's Enquiry, I. 232.

enabled to proceed vigorously to our task, and to prosecute our researches with that feeling of security which we could not otherwise have possessed. Be it remembered, then, that we have now before us three distinct versions—the Scotch, the Latin, and the French—and that of these, the French is the one which is asserted by her enemies to have been written by the Scottish Queen. Indeed, it is the only one which could have proceeded from her pen, for she never wrote in the island dialect until after her flight into England, and very badly then; and, though she was a very perfect mistress of the Latin tongue, I am not aware that she ever employed it in epistolary writing.[14] And it is, therefore, evident that, if it can be proved that the Scotch is the original of the three versions in question, the fact will be established that they were not, as they purported to be, the productions of Mary Stuart.

And Mr. Goodall, who undertook this seemingly Herculean task, has executed it in so masterly a manner, that the position which he adopted, that the French letters were translated from the Latin, and the Latin from the Scotch, and which none had ever dreamt of until his powerful pen revealed

(14) I remember to have seen among the Cott. MSS., I think in Calig. B. IX., some letters from Mary to Elizabeth, in Latin, but they are not in her own hand, and I imagine they must be translations.

its incontrovertible truth, has been suddenly discovered by some historians, with the common disingenuousness of party spirit, to have been the general opinion of the world from the earliest period of the Marian controversy. Yet none who have perused the early writers on this portion of our history, and have noticed their constant reference to these papers as the genuine letters of Mary Stuart, can fail to perceive the utter falsity of this assertion; and the attempt to rob Mr. Goodall of the honour which he has so nobly won, is disgraceful to those from whom it has proceeded. Few men have ever acquired a more intimate knowledge of Scottish history than that able critic; and although his labours, like those of all pioneers in a good cause, were neglected by some, ridiculed by others, and finally depreciated by those who envied, while they could not emulate, his glory; yet his work will ever remain as an enduring monument to historic truth, and must be revered by the friends of Mary as the first dawn of justice to her injured fame. The French Letters, which had for two centuries been pointed to as the foundation of all the calumnies against her, which all writers had accepted at the time as originals, and which had been given to the world by the very man who had the charge of the originals, were demonstrated by him to be servile translations from the Latin, while that Latin is evidently rendered from the Scotch; and his oppo-

nents, amid all their malicious detraction, have been compelled to admit, though in a very ungracious manner, that the position which he assumed has been established beyond dispute.

The deduction from this seems obvious and clear; that, as the letters were originally written in Scotch, and Mary did not write in that language until after her flight to England, they could not have proceeded from her pen. But a conclusion in favour of Mary gives too much pain to her foes to be allowed for one moment to remain unimpeached, and, since no solid argument exists with which to combat this position, an unknown spirit is raised from its repose in order to subvert it. The old story of another French original is again put forward, and Mr. Hume meets us upon the very threshold of our argument, and declares that the Scottish version is full of French idioms, which indisputably prove it to have been a translation from the lost French. Since we have already shown that no such other original ever existed, except in the fertile brains of some very imaginative historians, it may, perhaps, be considered a useless expenditure of time and space to refute a statement which, after what has been already said, naturally falls to the ground; but it may be as well to remark that Mr. Hume has, in some cases, shown wonderful ignorance, or carelessness, by quoting, as peculiarly French, some expressions which are

undoubtedly equally English, and, by adducing other instances in which the difference between the French and Scotch constitutes exactly the difference of idiom. So, for instance, " the place will hold unto the death," " discharge your heart," and others of the like kind, can hardly be considered purely French idioms; and the difference between " make me advertisement," and " faire m'avertir," (make to advertize me) " make it seem that I believe," and " faire semblant de la croire," (make seeming to believe it,) and so on, with several others, contains the whole difference between the idiomatic forms of the two tongues. And Mr. Hume caps the climax of the absurdity by quoting " journey," applied to a day's work, as a peculiarly French expression, when the word is applied in so many forms in our own language now. Mr. Laing defends him by saying that it is used with us only in relation to oxen and horses; but, although I have heard of journeymen carpenters, bricklayers, and masons, I have never yet had the good fortune to encounter journeymen oxen. And in another instance these historians are equally unfortunate in their coalition; for Hume places among his French idioms, " put order to it," and Laing avers that " to put order to a thing is indisputably French;" while if either of them had looked into the instructions of the Scottish nobles to the Commissioners of Mary, he would have found the

request " that hastie ordour be put thairto," proceeding from the pen of these Scottish lords.

And the slightly Gallic phrases which may occur sometimes in the Scotch,[15] cease to excite any wonder when we consider the state of the Scottish language when these letters first appeared. A long and intimate alliance with France, and the constant residence of some of the younger Scottish nobles in that Court,[16] had assimilated the two languages very greatly to one another, had imparted to the Scotch some few of the idioms of the French, and had also engrafted upon it many words which, in common use in Scotland, were derived from the language of France. The public and private documents of that age teem with instances of this peculiarity, and Mr. Tytler has furnished us with a list, which I have subjoined, of the French words in the Scotch language, which Mr. Laing has in vain endeavoured to attack, and which shows us very clearly that strong connexion between the tongues which the early origin of our language[17] would lead us to expect. But it is curious, and, as it seems to me, very instructive to remark, that, of all the public papers of Scotland, in that age, none

(15) The Gallicisms which really occur in a translation from French into Scotch, may be seen by glancing at the Scotch version of the Sonnets, which is often positively absurd, and, in some places, quite unintelligible, from the French idioms with which it is filled.

(16) Appendix B.

(17) Blair's Lectures on Rhetoric, 95.

are more copiously filled with French words than those proceeding from the pens of those very men who became the accusers of Mary, and to whom we would attribute the forgery of the letters. In Murray's Diary, now in the Cottonian Library, we are told that " Bothwell wes found weiray tymus *weseing* the Kingis ludgeing,"[18]—from *viser ;* in one of their proclamations we have " the said Earl Bothwell and others his *fautoris,*"[19]—from *fauteur,* an accomplice in a bad sense ; " be impeding and stopping of the *inquisitioun,*"[20]—an old French word; and, finally, " the estatis of Scotland * * *decernit* the *dimission* of her crown * * and establishing of the *regiment* of that realme,"[21]—in which *decernit,* from *decerner,* to order judicially or by public authority—*demission,* itself a French word—and *regiment,* from *regime,* strike the eye at once ; and, even setting aside the important fact that they were used by the reputed forgers of the letters, aid most materially the positions which I have already maintained.

The French idioms, then, which Mr. Hume has quoted, numbering only eleven in eight long letters,

(18) Cott. MSS. Calig. B. IX. fol. 247, apud Anderson, II. 272. Goodall, II. 247.

(19) Cott. MSS. Calig. C. I. fol. 202, apud Anderson, IV. ii. 67. Goodall, II. 146.

(20) Ibid, fol. 230, apud Anderson, IV. ii. 120. Goodall, II. 207.

(21) Ibid.

are often false, and, even if they were really that which he represents them to be, their origin might easily be accounted for.

But, on the other hand, the absolute[22] originality of the Scotch is demonstrated by many features which it possesses, irresistibly carrying conviction to the mind. The force and conciseness of the expressions, the energy of the style, the happy turns of phrase peculiar to the language, and the frequent occurrence of words and forms of speech which are essentially Scotch, and some of which are still in use as proverbial expressions, seem to show us, as clearly as the nature of the case will allow, that the Scotch is an original composition. "Ane gentilman of the Erle of Lennox came and maid his commendatiounis unto me."[23] "This last speiking was of his awin heid." "I maid him hald his toung." "I answerit to him that thare was na recept culd serve aganis feir."[24] "Quhen I heir ony thing not being familiar with zow, necessitie constranis me to keip it in my breist, and yat

(22) It is very important not to confuse together the proofs of the absolute, and the demonstrations of the relative, originality of the Scottish version; but the writers who have opposed Mr. Goodall, have suppressed his proofs of absolute originality, simply because these entirely overthrow that slender hypothesis of a lost original, with which they have endeavoured to sustain their sinking cause.

(23) Tytler tells us that this phrase was still used in his time, in Scotland.—*Tytler's Enquiry*, I. 227.

(24) A Scottish proverbial expression.—*Tytler's Enquiry*, I. 228.

causis me to tyne my wit for verray anger." "At leist he suld sell his lyfe deir aneuch." "I beleve thay have bene at schuillis togidder. He has ever the teir in his eye." "Have ze not desyre to lauch to se me lie sa weill, at ye leist to dissembill sa weill, and to tell him Treuth *betwix handis*."[25] "We ar couplit with twa fals Races, the devill sinder us, and God knit us togidder for evir for the maist faithfull coupill that evir he unitit." "This is my faith, I will die in it."[26] "And zit I have nevir twichit ane word of that ze schawit me, bot allanerly be force, flattering, and to pray him to assure himself of me." "He wald drink to ye folk yat I wist of gif I wald pledge thame." "He hes almaist slane me with his braith." "With that he thristit my bodie." "Ze have sair going to se seik folk."[27] "He gevis me sum chekis of yat quhilk I feir, zea evin in the quick,"—are but a few instances selected out of one of the eight letters in which the easy style, the Scottish idioms, the peculiar national expressions, and, above all, the still prevalent proverbial sayings, concur in assigning the palm of absolute originality to the Scottish ver-

(25) This single expression is alone sufficient to mark the original; for it is peculiar to the Scottish tongue, and has no precise equivalent in any other language.

(26) Can any who have perused the genuine letters of Mary, believe that this compound of revolting indelicacy and odious blasphemy ever proceeded from her pen?

(27) A common Scotch proverb, in the time of Goodall.—*Goodall*, I. 82.

sion. And Dr. Robertson has in truth conceded the point by an admission, the force of which it is probable he did not perceive; but which sets the matter at rest for ever. For he declares that "it is probable that Buchanan made his translation (into Latin) not from the French but from the Scottish copy;" and he informs us, that, "were it necessary, several critical proofs of this might be adduced;"[28] and since Buchanan was himself the keeper of the pretended originals, and himself understood French very well, having lived in France and kept a school there, this single fact of having preferred to translate into Latin from the Scotch rather than from the French original, indubitably shows that that original did not then exist; but was fabricated at a later period by some one who translated it from the Latin thus produced. The position of Mr. Goodall is, therefore, supported by an admission even of one of his warmest opposers, and the facts that the letters were written originally in Scotch as they appeared at York; that they were then translated into Latin by Buchanan from that Scotch; and that the French, which was ultimately put forward as the original, was fabricated from this Latin, appear to be established on a basis which places them beyond the reach of conjectural speculation.

(28) Robertson's Scotland, II. 366. Is it not singular that this should never have been guessed, until Mr. Goodall proved it beyond dispute?

But, however this may be, the French edition which we now have is the only one that was ever put forward to the public; and on it have been founded all the calumnies which historians, from Buchanan down to Laing and Von Raumer—the latest and least scrupulous of Mary's defamers—have promulgated against her; and since these letters are now proved to be—not French originals, but—fabrications, because translations from a language in which Mary never wrote, the arguments which have been based upon them must of course fall unsupported to the ground. The foundations have vanished, and the mighty edifice of slander must now topple into universal ruin.

II. But, even should the reader be unconvinced by the arguments which I have already submitted to his notice; should he be willing to overlook or attempt to reconcile those suspicious circumstances in the history of the letters which have been pointed out; and should he still believe that they were originally written in French, but that that original is lost, their contents will still afford very strong ground for vehement suspicion.[29]

1°. The impression with which any one, who is at all acquainted with the style of Mary in epistolary composition, as displayed in those letters which

(29) Appendix C.

have been recently translated and edited by Miss Strickland, will rise from the perusal of the letters to Bothwell, can scarcely fail to be one of extreme surprise at the wondrous inequality of style which is displayed between the two compositions, and the great and manifest inferiority of the latter to the former papers. Mr. Laing, indeed, tells us, that "nothing can be more natural than the flippant loquacity of the letter to Bothwell, the exuberance of sentiment and affected gallantry;" but the remark serves only to demonstrate his ignorance or his perversity, and will fall harmless upon the minds of those who have wept over the touching and truly christian productions of Mary, in her cheerless and solitary prison; for such must feel that flippant loquacity and affected gallantry are no characteristics of the writings of Mary Stuart. While the whole of the papers in that unvalued book to which I have alluded — some of them written, too, at moments when her mind must have been harassed by pressing cares, and perturbed by fears and sorrows which would fit her but little for careful composition—are marked by a refinement of thought, and an eloquence of diction, which secure to her the highest station among the literati of her age, and win the heart of the reader, not more by the elegance of their expression, than by that pure and womanly tone of feeling which breathes in

every line, the letters to Bothwell are coarse and often loathsome in their style and contents; and, while they never on any occasion rise into that high strain which was habitual to the pen of Mary, often sink into a lowness and vulgarity which present the highest contrast to the actual constitution of her mind. Breaking forth at times into bursts of the most phrenzied but soulless passion, breathing the most malignant hatred towards her husband, intermingling with these coarse and degraded emotions occasional transports of remorse and fits of overwhelming piety, the sudden rise, and as sudden decline of which borders on the ludicrous, and habitually profaning the sacred name of God by solemn appeals to the Creator for countenance and support, in a course of the blackest crime, they alternately amaze us by their wildness, and disgust us by their obscenity and profanity; and there can be very few, whose estimate of female character is that which ought to subsist in the mind of a christian man, who can believe for one instant that the heart of such a woman as Mary Stuart is admitted to have been, even by her foes, could ever have conceived so revolting a mixture of blasphemy and guilt. And, with regard to the sonnets, the authenticity of which rests upon the same base with the letters, we are told by Brantome—one of the first poets of the age—that their style is far inferior to

that of Mary's genuine poetry, and that this feature renders it impossible to believe that they ever proceeded from her pen.[30] And, lest any should be disposed to undervalue this species of evidence, it may be observed that we have the highest authority for appealing to it in cases like the present; for, when, during the reign of Queen Elizabeth, that princess was greatly enraged against one Haywarde, who had published a history of the first year of Henry the Fourth; and, suspecting that he was not in truth the author, but had lent his name to some seditious writer, desired to rack him, in order to make him confess whether this was so, Lord Bacon said to her, "Nay, madam, he is a doctor, never rack his person, but rack his style: Let him have pen, ink and paper, and help of bookes, and be enjoined to continue the story where it breaketh off, and I will undertake by collating the styles to judge whether he were the author or no."[31] And if this test, thus sanctioned and recommended by so high a name, be applied fairly to the letters which we aver to be a forgery, I would be content to rest

(30) "Elle composoit de vers dont j'en ai ou aucun de beaux et tres bien faits, et nullement resemblant a ceux qu'on lui a mis sus avoir fait dans l'amour du Comte de Bothwell. Ils sont trop grossiers et mal polis pour etre sortis d'elle, et M. de Ronsard etait bien de mon opinion en cela."—*Brantome*, IX. 112, and apud *Jebb*, II. 478. Appendix D.

(31) Cabala, 81.

upon that alone, and to rely upon the conviction which must inevitably force itself upon every impartial mind.

2°. But we are told by Mr. Laing, the latest, and, it must be confessed, the least scrupulous of the adversaries of Mary, that these letters abound with expressions which were habitual to her, and which occurred in other letters indubitably genuine; and we are required at once to admit that this is an irresistible proof that these were her genuine compositions. It seems, indeed, somewhat a stretch of argument to say, with Mr. Laing, that the occurrence of so very simple a metaphor as "a body without a heart," in a genuine letter of Mary's, some years after, is to be regarded as a strong confirmation of the authenticity of another document in which the same figure occurs:[32] and most of this writer's illustrations will be found to possess about an equal degree of value; but it appears to me that his proofs of this nature can be of but little assistance to his cause. When the forger, whoever he may have been—for into this question, warmly disputed as it has been, I must really decline to enter—sat down to indite these letters in the name of Mary, and to reduce to a tangible form the airy visions which had been floating in the imaginations

(32) Laing, I. 278.

of the rebels, one of the first steps which he would take would be to collect all those expressions which were habitual to her, in order to impart a greater degree of nature to his work. The commonest sense would dictate such a course; and, viewed in this light, these expressions, on which Mr. Laing has laid such stress, serve only to show that the forger was not entirely destitute of prudence and sagacity.

3°. An apparently strong and very specious argument in favour of their authenticity has been adduced by Mr. Hume,[33] and, after him, by Dr. Robertson,[34] both of whom aver that the letters are filled with a succession of minute details which would very greatly increase the risk of detection, and that a skilful forger would have avoided a course which presented so very ready a means for the exposure of his fraud. Far is it from my intention to dissent from the position which these historians have assumed; for to deny it would be to shut my eyes to all the mass of evidence which the patient industry of Mary's zealous friends has drawn from this very point, and to forget those numberless detections which these very details have furnished to those who have espoused the cause of Mary and of justice. And he who "mecum et cum Jove

(33) Hume, V. 146-7. (34) Robertson's Scotland, II. 356.

sentit," and who believes them to be forged, cannot be too grateful for that imprudence which induced the forgers to wander too much among facts, and ultimately led them to entangle themselves beyond the hope of rescue. We shall have occasion hereafter, when considering the last branch of our subject, to treat more especially on this point, on which, for the present, I shall dwell no more. But the historians whom I have mentioned go even further than this in their arguments, and assert that the letters contain very many circumstances which could only be known to Bothwell and the Queen; while Von Raumer exultingly and sneeringly declares that the advocates of Mary have never troubled themselves to explain how the supposed forgers became acquainted with the substance of the letters in question.[35] Yet the cloud which has been thus perseveringly raised may be dispelled by the consideration of one trifling fact, which is too often overlooked, and which, while it evinces most distinctly that these facts were not exclusively known to the two parties named, also shows us, very plainly, the manner in which the fabricators of the letters were made acquainted with whatever real facts were interspersed among the fictions which they created. When Murray produced the letters at Westminster,

(35) Von Raumer's Elizabeth and Mary, 311.

and was anxious to sustain them by every corroborative testimony in their favour, he summoned before the Commissioners one Thomas Craufurd, a dependent of the Earl of Lenox, who had taken a part in the accusation of Queen Mary; and the only object for which he was brought forward was, that by his testimony he might confirm the truth of the facts which were asserted in these letters. And he, accordingly, tells us, that, when he was attending upon the King and Queen at Glasgow, the former detailed to him the exact words of the conversations which had taken place between Mary and himself, in order that they might be reported to the Earl, who was then in the same town. But, instead of instantly reporting these, he wrote them in full upon paper; and feeling conscious, I suppose, from some inward presentiment in his mind, that these memoranda would afterwards do important service, he preserved them all, and he now produced them before the Commissioners—when they were found to agree almost word for word with the statements in the letters: such accurate reporters were both Mary and Craufurd of the conversation which had taken place! Now we have but two courses to pursue with regard to this somewhat suspicious evidence. We must either disbelieve it altogether—in which case we place Murray in the very unenviable situation of one who supports

his cause by perjury—or, if we credit it, we furnish at once an explanation of the difficulties which have been raised on this point, and can readily account for the appearance of the most secret matters in the letters; since the man who swore to the facts then, might, at an earlier period, have furnished the materials to the forger.[36]

4°. But Dr. Robertson and Mr. Laing have presented to us another point, which they seem to regard as an indisputable evidence of the authenticity of the letters. The former of these historians says, (and his argument is echoed by the latter,) "If we shall still think it probable that so many real circumstances were artfully introduced into the letter, by the forgers, in order to give an air of authenticity to their productions, it will hardly be possible to hold the same opinion concerning the following particulars: Before the Queen began her first letter to Bothwell, she, as usual among those who write long letters containing a variety of subjects, made notes, or memorandums, of the particulars she wished to remember; but, as she sat up writing during a great part of the night, her paper failed her, and she continued her letter upon the

(36) Dr. Robertson's mystery about Hiegate and Walcar has been very ably cleared up by Tytler, in his Enquiry (I. 267); and in the hitherto lost minute of the 7th of December, printed in the Appendix to Vol. I.: this circumstance, "unknown to any one," is explained by Murray to the Commissioners.

same sheet on which she had formerly made her memorandums."[37] I am by no means inclined to disagree with the learned Doctor in his views regarding the improbability of the introduction of such memoranda into a forgery; nor can I, for a moment, believe that the art of the forger was carried to so high a degree of perfection as this would necessarily involve. But it will be perceived that the whole of Dr. Robertson's argument depends on this one point: whether these notes are in fact the memoranda of the things which were to be inserted in her letter; since, if this assertion can be proved to be a fallacy, and it can at the same time be shown that they have a real meaning, and one by no means unusual, though very different from that which has been assigned to them, the whole argument falls at once to the ground. Now, are these memoranda the contents of the letter scribbled on a loose sheet, as Laing and Robertson assert? Do they all refer to points which are treated of in the letter itself? A negative answer must inevitably be returned to these questions; for the notes contain some points, such as "Of his mother,"[38] and "Of the lodging in Edinburgh," which are not

(37) Robertson's Scotland, II. 357.

(38) Mr. Laing admits that this is a forgotten topic. *Laing*, II. 190. Yet he asserts that these notes were a summing up of what had been written each day. *Ibid.* I. 298. Are not these two

touched upon in the letter at all. And the extreme improbability of the supposition that Mary should have concluded the first half of the letter exactly where these memoranda begin; and that on the second day she should have made another set of notes, and finished the last section of her letter exactly where they begin, add fresh proof to the argument which is infallibly deduced from the non-existence in the letter of some of the points alluded to, and utterly disproves the allegation of Dr. Robertson, who, doubtless perceiving the glaring improbability which it would evince, in his supposition, has suppressed all notice whatever of the second series of memoranda.

Yet, in rejecting one theory, it is incumbent upon us to supply its place by another which shall satisfactorily account for the difficulty in question. And we may rest upon the positive declaration of the very men who produced the letters, and who assert that these memoranda are the notes of private communications, entrusted to the supposed bearer

statements somewhat incompatible with each other? Had he said that there were memoranda made previous to the writing of the letter, as a summary of the points to be written upon, then we could imagine how this "forgotten topic" could be among them. But, if we consider them as a mere summary of what had been written, it will be somewhat difficult to give a satisfactory excuse for the presence of this note, on a subject which had not been touched on in the letter.

of the letter, to be conveyed by him as a verbal message.[39]

But Dr. Robertson denies this, and asserts that it cannot possibly be true. In historical investigations, the bare assertion of however distinguished a writer will, of course, count as nothing, unless it be supported by sufficient evidence of its correctness; and a proof that the grounds on which our historian has based his theory are fallacious, will of course destroy the theory itself. And, in defence of his assertion, Dr. Robertson informs us that "the Queen herself writes with so much exactness concerning the different points in the memorandums, that there was no need of giving any credit or instructions to the bearer concerning them."[40] Let us turn, then, for a moment, to the letters, and examine the truth of this bold assertion; though not without premising that the writer who could propound it must arrogate to himself a knowledge of every slight fact connected with the circumstances in question, which it is utterly impossible that he should possess.

The first of these disputed memoranda is "The message of the Father in the gait." On this the letter expressly says, after detailing a portion of that

(39) "Item, In the credit gifin to the berar, quhome we understand was Pareis, Remember yow of the purpois of the 'Ladie Reires——of the ludgene in Edinburt.'"—*Paper Office*, apud *Anderson*, IV. ii. 74. *Goodall*, II. 152.

(40) Robertson's Scotland, II. 359.

message, "*the rest* wer lang to wryte." Again, we have "of the desyre that he had to pleas me, and of his repentance;" and in the body of the letter, after relating a conversation between Darnley and herself, to that effect, and narrating very carefully all his speeches in justification of himself, it is said, "I answerit ay unto him; bot that wald be ovir lang to wryte at lenth." Again, the notes speak "of Monsieur de Levingstoun," in relation to which it is remarked, after very slight detail, "ze may ges at the rest." And, in addition to these distinct allusions to something which was left unsaid, we find several heads, such as "of the interpretatioun of his letter," "of the purpois of the Lady Reres," and "of the Erle of Argyll," which are touched upon very slightly indeed; and some, to which I have already alluded, are not mentioned at all; while three only,—"of the purpois of Sir James Hamilton," "of that the Laird of Lusse schawit me of the delay," and "of Willie Hiegaits mater of his departing," have the slightest appearance of being treated at any length; though, with regard to them, it is quite impossible to say whether any circumstances have been omitted in the narration.

After such an investigation as this, can the arguments of Dr. Robertson be allowed to stand? When we find that so many of those points which he has declared to be detailed with so much

exactness, that no private communication could possibly be made concerning them, are touched upon with allusions to something which was actually left untold; can we assent, for one moment, to the conclusion which he has drawn? I think few will hesitate ere they come to a decision.

But is the supposition which has been advanced, upon the authority of Murray, that these memoranda are "the credit given to the bearer," based upon better evidence than this which has been overthrown? A slight examination will show us that nothing can be more substantial than the foundation on which it rests.

That some credit or commission was given to the bearer is evident from two passages in the letter itself, than which nothing can be clearer or more distinct; for in it the fictitious Mary is made to say, "This beirer wil schaw zow mony smal thingis, Becaus I have over mekle to wryte, and it is lait, I give traist to him upon zour word;" and again, "For to mak schort, this beirer will tell zow the rest." When we see that some commission is thus entrusted to him, the plainest reasoning would induce us to believe that such private information had reference to those points concerning which we have already seen that some circumstances were evidently suppressed; and we should thus be led to conclude that those are in the right who

attribute the character of credit to the bearer to the memoranda in question. But more convincing evidence than mere hypothesis comes to our aid, and enables us to pronounce with positive certainty that such is, in truth, the case; for, on the subject of one of the memoranda—" of the purpois that he and I had togidder," the fictitious Mary, after detailing some few circumstances of the interview between Darnley and herself, says, " He fand greit fault that I was pensive. I departed to supper. *Yis beirer will tell zow of my arryving.*" Again, with regard to another " of the Inglishmen," she says " He speike verray braifly at ye beginning *as yis beirer will schaw zow* upon the purpois of the Inglishmen;" and, to crown all, she places among these points of credit " of the demandis that he askit at Joachim, of my estait, of my company, of the occasioun of my cumming, and of Joseph;" and, after stating in the letter " The King send for Joachim zisternicht and askit at him quhairfoir I come, gif it was for gude appointment, * * * and gif I had maid my estait, gif I had takin Paris and Gilbert to wryte to me, and yat I wald send Joseph away," she especially adds, " This berar will tell you sumwhat upon this." Nothing can be clearer or more indisputable than the evidence which this affords of the truth of the position which I have taken.

Yet, it may be asked, what could be the object of

the forgers in introducing this seemingly useless feature; which could convey but little information, and would be apparently of little assistance to their cause; and it does, indeed, seem, at first sight, difficult to account for this conduct; but a slight consideration may serve to remove the difficulty, and render this somewhat dubious point clear and intelligible to our minds. As the letters made their appearance destitute of the safeguard of a seal,[41] (since Mary had her own seal with her,)[42] it would have been almost too much for the credulity of the English Commissioners, and even for the unblushing effrontery of Murray and his rebel band, to have filled these letters with express and positive instructions with regard to the murder, when it was evident that they must have been sent open through the hand of a messenger; and it was, therefore, resolved to fill the letters only with evidence of the violent love of the Queen to Bothwell,

(41) "They are neither sealed nor signeted."—*Leslie*, 18, apud *Anderson*, I.

(42) "Thay produced a commyssion written in paper, subscribed by the Quene of Scotts hand, and *sealed with her signet.*"—*Cott. MSS. Calig.* C. I. f. 174. apud *Anderson*, IV. ii. *Goodall*, II. 113. "That albeit the Quene's Majestie desired sic ane writing to be sent be the Quene's Hienes of Scotland, thair Soverane, befoir the deliverie of the said writingis unto thame, zit the samin appears not to be necessarie, in respect of twa several writingis schawin and read in presence of hir Majestie and hir counsal, subscrivit with hir awin hand, *and under hir signet.*"—*Cott. MSS. Titus* C. XII. apud *Goodall*, II. 311.

while the darker points were to be inserted among these communications to the bearer. When the letters were exhibited at York, they declared Paris to be the bearer, though they had not yet taken him prisoner,[43] and could not, therefore, be in possession of this information, which could be derived only from one of the parties to the correspondence or himself; and, in the confessions which they subsequently forged in his name, those very verbal directions which he is said to have received from the Queen, are inserted as detailed by himself; and thus the chain of evidence was rendered complete, which they durst not insert entire in the letters which they attributed to the Queen. But Paris, by denying at his execution that he ever carried any such letters, has afforded us a lasting and invulnerable proof of the forgery of the confessions in his name, as well as of these memorable letters; while these famous memoranda, when carefully and fairly considered, not only cease to appear extraordinary, but stand forth as another proof of the blind and wilful recklessness of the forger's course.

5°. The ablest, and by far the most impartial, of our historians, Dr. Lingard, has pointed out a circumstance, with regard to the contents of the

(43) Tytler's Enquiry, I. 289, note.

letters, which is very worthy of our notice. No one who reads these letters only can conclude that Mary and Bothwell had any accomplices in the crime; and, though the Queen could not fail to be conscious, if she were herself guilty, of the criminality of Morton and Maitland, not a word is said of them in any of these papers, nor in any of the confessions which were taken previous to the Conferences in England. But, some time after, Maitland began to desert the party, and then the confession of Paris was made, in which, for the first time, we have an intimation of his implication in the plot.[44] Nothing can be conceived more fraudulent than the aspect of this.

6°. In the letter which narrates her conversation with the King at Glasgow, Mary is made to detail all the arguments of Darnley in his own defence with great explicitness, but omits entirely her own replies. Now, all who are in the least degree conversant with human nature will see, that, in any case, this would be very unnatural; but more especially in an adulteress writing to her paramour; since such an one would be rather willing to blacken her husband, in order to extenuate her own infidelity, than to preserve all his excuses, and omit altogether her answers to them. But if the

(44) Lingard, VIII. 412.

work was executed by forgers, who desired to degrade the character of Mary by unduly exalting that of the King, as is universally done in the Detection, this conduct is natural enough.

7°. The letters continually contradict themselves, and each other, in a manner which could not possibly occur in a genuine correspondence. To cite all the instances of this would require more space than I can afford; but a few examples may be noted. In the first long letter, speaking of Lennox, she informs us that "he speikis gude;" but soon after remarks, "I have not sene him;" again, of Darnley, she says, "he desyris na body to se him," and yet presently declares, that "he salutis every body, zea unto the leist;" but afterwards returns to the old story, by telling us that his illness is so great that "he may not cum furth of ye hous this lang tyme." He is stated, in the latter half of the letter, to have spoken "verray braifly at ye beginning upon the purpois of the Inglismen and of his departing;" yet, on a reference to the former passage, we find that his bravery was all contained in an utter denial that he had ever entertained such a purpose; and he is declared to be "in grait suspicion" a moment after he has avowed that "he suspectit nabody, nor zit would nat." In one of the letters concerning the seizure, she implores Bothwell to put no trust in Huntly, upbraiding him as

" having tald the interpryse;" while, in the next letter, she leaves all to Huntly in conjunction with Bothwell. And, to close these examples, the fourth letter mentions the marriage of Sebastian—a gentleman of her suite—to Margaret Carwood, but then rendered necessary by a recent discovery; while, in the first long letter, the marriage of Bastian is mentioned passingly, as a thing already intended, and which had come by some means to the knowledge of the King. These contradictions—which are but a few selected at random, out of a host of others—could never have occurred in genuine espistolary compositions; but they were not at all unlikely to creep into the productions of a forger, who wrote at some distance of time from the period of the events, and who would find it difficult to banish from his mind the contradictory rumours which might have prevailed concerning them.

8°. Dr. Lingard says, "There is a strong chronological objection which Mr. Laing labours in vain to remove. The two first letters are said to have been written on the 23rd and 24th of January, and to have been answered from Edinburgh, by Bothwell, on the 24th and 25th. The last answer was written by him after dinner. Now, if we believe Murray's Diary, Bothwell left Edinburgh to go into Liddesdale on the night of the 24th, and returned only on the 28th. Here is evidently a contra-

diction. To solve the difficulty, Mr. Laing pretends that Bothwell did not leave Edinburgh till the evening of the 25th; that he then went in company with Maitland, to consult Morton at Whittingham; and that they returned together on the 28th. To conceal their conference it was thought best to say that they had been into Liddesdale, and to antedate the time of their departure, on account of the greater length of the journey. But, 1. If this be true, what credit can be given to any documents produced by such witnesses? The man who could falsify the diary to screen Morton and Maitland, might equally falsify letters to convict Mary. 2. The whole is a fiction. The Earl of Bedford, on the 23rd, wrote to Elizabeth that the meeting at Whittingham had already taken place. Of course the 25th is several days too late."[45]

The chronological objection, then, continues in full force, and is of a character the importance of which cannot be too highly estimated, since it affords the most convincing proof of fraud. And Mr. Laing remains with that honour upon his name, which may be derived by an historian from being discovered in inventing a tale, and palming it off upon the public as genuine, in order to sustain his

(45) Lingard, VIII. 413. I feel sure that all my readers will concur in the propriety of giving this argument in the concise words of the able historian.

cause, when he must have been himself convinced of its falsehood and fabrication.

9°. The papers in question, when produced at York and Westminster, were destitute of many of the characteristics of real letters. They were not dated, had no signatures, were not directed to any one, and were, moreover, without the protection of a seal;[46] which latter circumstance could never have occurred in genuine letters, which contained such strong proofs of a course of criminal adultery. Yet this is not all. Though on the face of the letters there is not the slightest evidence of whom they were written to, or by whom, of the name of the bearer, the locality from which they were penned, or the date of their composition;[47] yet we are told by Murray, that they were written by Mary Stuart to James Earl of Bothwell; and that they were sent by the hands of Paris, (who at his death denied that he had ever carried such papers);[48] and, as if this knowledge were not super-

(46) Mr. Laing is positive that the expression, "that they were not sealed," means that they had not passed the great seal of Scotland; as if any one would mention this as a peculiarity in "previe" letters. The phrase "they were neither sealed nor signeted," seems to me to mean that they were neither secured with a seal outside, nor attested by her signet within.

(47) There is one unimportant exception, in the case of one of the short letters, which is dated "From Glascoe this Setterday in the morning;" but this is the only instance of a date.

(48) "As for him that ye surmise was the Bearer of them, and

natural enough, he gives us a diary, which fixes with tolerable precision the dates and localities of the letters.[49] Such an acquaintance with facts, which he could not learn from the letters themselves, and of which it would be difficult to find any other source than their writer, carries with it strong suspicion, and makes us involuntarily conceive, that Murray had some nearer connexion with the letters than that of mere keeper.

10°. But, to draw these remarks on the general contents of the letters to a close, I would observe, that Dr. Robertson has urged, that a very strong proof of their authenticity may be found in the tone of their contents. He says that "Whenever a paper is forged with a particular intention, the eagerness of the forger to establish the point in view, his solicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, always prompt him to use expressions the most explicit and full to his purpose. * * No maxim seems to be more certain than this, that a forger is often apt to prove too much, but seldom falls into the error of proving too little. The point which the

whome you have executed of late for the said Murthour, he, at the Time of his said Executioun, tooke it upon his Death, as he should answere before God, that he never caried any such Letters, nor that the Queene was participant nor of Counsayle in the Cause."—*Leslie*, 19, apud *Anderson*, I.

(49) Cott. MSS. B. IX. f. 247.

Queen's enemies had to establish was, 'that as the Earl of Bothwell was the cheif executor of the horrible and unworthy murder perpetrated, &c. so was she of the foreknowledge, counsel, device, persuader and commander of the said murder to be done.'[49] But of this there are only imperfect hints, obscure intimations, and dark expressions in the letters; which, however convincing evidence they might furnish if found in real letters, bear no resemblance to that glare and superfluity of evidence which forgeries commonly contain."[50] Now, even if all this were true, the circumstance would only show that the forger of the letters was a careful and prudent person; and being aware, like our historian, of this natural tendency of forgers, had avoided the errors into which others had so frequently fallen. But that it is true I would most strongly deny; and the whole argument has been founded on a misconception, or misrepresentation—be it which it may—of the object which the letters were designed to answer.

Their first production at York furnishes us with a sufficient evidence of what this really was; for the Commissioners, to whom they were privately exhibited, in their description of them to Elizabeth, aver, that "the said letters and ballades do discover

(49) Goodall, II. 207.
(50) Robertson's Scotland, II. 355.

such *inordinate love between her and Bothaille, her loothsomeness and abhorringe of her husband,* that was murdered, in such sort as everie good and godlie man cannot but detest and abhorre the same."[51] And in their "note of the chief and principall poincts" of the letters they enumerate, "First the plain and manifest wordes conteyned in the said lettres declaringe *the inordinat and filthie love betwene her and Bothaill.* Next the like wordes plainly declaringe how *she hated and abhorred her said husband.*"[52] The titles of the letters show precisely the same thing. "An uther letter to Bothwell concerning *the hate of her husband,*"—"A letter written by hir from Glâsgow to Bothwell proving *hir hate to hir husband,*"—"An uther letter to Bothwell *of hir love to him,*"—and "An other letter to Bothwell concerning the departure of Margaret Caswood quho was privie and *helper of all theire love,*" are sufficiently distinct; and, in the Minute of the 7th, we are expressly told, "After this the said Earl and his Colleagues offered to show certain proofs not only of the Queen's hate towards the King her husband but

(51) Cott. MSS. Calig. C. I. f. 198. Anderson, IV. ii. 62. Goodall, II. As these remarks are constantly quoted as conveying the opinions of the Commissioners, it should be observed that all these expressions are qualified with the observation "if these letters be her own hand writ indede."

(52) Paper office, apud Goodall, II. 148. Haynes, 480.

also of inordinate love towards Bothwell;" and they then produced the letters in question. And all this is fully confirmed by the Detection of Buchanan, which assigns her love for Bothwell and her desire to marry him as the great motive for the murder,[53] and dwells upon her hatred of her husband as the grand point which was to prove all,[54] and appeals to the letters as proof,[55] declaring, in fine, that, "Thir thairfoir wer the Causis of interprysing that haynous Act, to wit unappeisabill haitrent of her husband and untemperabill love of hir adulterer,"[56] and containing, moreover, this remarkable passage, which shows the great stress laid upon that adultery which the letters were designed to prove. "Gif this caus wer to be pleidit befoir grave Cato the Censor all this wer esie for us to preif befoir him that was perswadit, that yair is na Adultereris bot the same is alswa ane poysoner."[57] And it thus appears evident

(53) "To dispatche away the King be ane Way or uther howsaever, and to mary with Bothwell." *Buchanan, Detection* 3, apud *Anderson*, II. "And thair with all to win a Collour and Caus of Divorce, to mak emptie Bed-rowme for Bothwell."—*Ibid*, 5.

(54) "Gif than thay demand ye Caus of sa haynous anē Deid, I answer it was unappersabill Haitrent. I demand of thame agane gif thay can deny that sic Haitrent was, or that the same Haitrent was sa greit, as without Blude culd not be satisfyit." *Buchanan, Detection* 38, apud *Anderson*, II. "It sufficis for any Purpois to preif that scho haitit him." *Ibid*, 39. "Ane Woman burning in Haitrent of hir Husband."—*Ibid*, 49.

(55) Buchanan, Detection 40, apud Anderson, II.

(56) Ibid. 59.

(57) Ibid, 48. Laing in vain endeavours to show, from some

from the declarations of the accusers themselves, that the hatred of Mary towards her husband, and her violent love for Bothwell, were the points which these letters were presented to establish.

But are these demonstrated by "slight and ambiguous hints," and statements which may be explained away by those who choose to venture on the attempt? Those who have perused the letters with any degree of care, must smile when such a question meets their eyes. When we find Mary made to say with regard to her husband, "Waryit mot this pokische man be that causes me haif sa mekle pane," "We ar couplit with twa fals races, the Devill sinder us," "Ze will say yat he makis lufe to me: Of ye quhilk I tak sa greit plesure yat I enter never where he is bot incontinent I tak ye seiknes of my sair syde;"[58] and, more particularly, in

anonymous MS. notes in an old copy of the Detection, that Wilson was the author of the Actio, or Oration of Evidence, and that Buchanan, consequently, was not. *Laing*, I. 255. But nothing can be clearer than the language of a contemporary,—supposed, with some show of plausibility, to be Cecil, — who says, "The booke itselfe, *with the oration of evidence*, is written in Latine by a learned man of Scotland, *M. George Buchanan.*" *Goodall*, II. 377. *Anderson*, II. 262. And this positive contemporaneous testimony outweighs all conjectures founded on anonymous notes.

(58) Dr. Robertson thinks that this pain, which he calls habitual to Mary, is so naturally introduced, that the letter must be genuine. We find that she was really subject to such a pain. *Keith*, Preface, vii. *Haynes*, 510. *Murdin*, 158, 165. But surely

relation to Bothwell, " I am not weil at eis and zit veiray glaid to wryte unto zow quhen the rest are sleipand, sen I cannot sleip as they do, and as I wald desyre, that is in zour armes my deir lufe," " Now seing to obey zow my deir lufe I spair nouther honour, conscience, hasarde, nor greitnes quhatsumevir, tak it I pray zow in gude pairt," " God give zow my only lufe the hap and prosperitie quhilk zour humble and faithfull lufe desyris unto zow, quha hopis to be schortly ane uther thing to zow for the reward of my irksum travellis," " Gif it be sa that I may appropriate that quhilk is wyn thocht faithfull zea only luifing of zow, as I do and sall do all the dayis of my lyfe, for pane or evill that can cum thairof," " I craif na uther thing at God bot that ze may knaw that thyng that is in my hart quhilk is zouris,"[59]—we cannot but regard such an assertion as gratuitous and absurd, and unworthy of a moment's attention, except for a triumphant refutation. But the forger has here attributed to Mary a passion so gross, and has expressed it in terms so violent, that he has fallen into the common error of his tribe, and " his

its introduction here, as occurring whenever she saw her husband, is very burlesque.

(59) Many other instances might be cited, particularly the whole of the long letter concerning the tokens, which Dr. Robertson ridicules, but which is, in this view, one of the most important.

eagerness to establish the point in view, his solicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty," has prompted him to exceed the bounds which common sense should have assigned to his ravings. He has, indeed, proved too much; he has overdrawn and overcoloured the picture, and, by the very principle which Dr. Robertson has laid down, his conduct must be accepted as a presumptive proof of the falsity of his fabrication. But, however this may be, the ambiguous tone of the letters can never be again cited, as a proof of their authenticity, by any who understand the end which they were really designed to answer.

III. One point yet remains to be noted; which will serve as a very strong proof of the truth of that assertion of Dr. Robertson, which has been already cited, that a forger, who enters into a long detail of facts, supplies a very ready means for his own detection, and which furnishes an evidence of the forgery of the letter, apart from all our past arguments with regard to their history and language, belonging to them in all versions, and applying to them with equal force, whether the French, which we now have, is indeed the assumed original; or whether another at one time existed, but has since unaccountably disappeared.

When the fabricator of these epistles sat down to his work, it would be natural that he should endeavour to call to his recollection the principal events of the period for which they were to be written, in order that he might have some solid matter in his compositions which should give to them a far greater appearance of reality than they could otherwise possess. But in this branch of his undertaking,—writing, as he did, some time after the period to which his productions were to be assigned, and after a course of events which, for rapidity and importance, has been rarely paralleled in the history of the world—it would become a matter of the greatest difficulty to arrange his events in the proper order of historic date; and to avoid betraying, by the slightest expression, a cognizance of events which had since transpired; while the most wakeful caution would be necessary to enable him to avoid confounding one circumstance with another, and to make his narrative coincide exactly with historic truth. To a real correspondent, penning her communications while the events in which she was the principal actor were yet transpiring around her, no such difficulty could possibly occur; but, to one who, after some length of time assumed her character, and attempted to write in her name, these dangers would crowd his path on every side, and threaten him with entire

ruin, as the consequence of the slightest deviation from the truth.

Fortunate, indeed, is it for the cause of justice, that such perils do surround the most experienced in crime, since he who was exposed to them here, by failing to guard himself in all cases against them, has furnished us with a proof of his iniquity, which all the sophisms in the world would be insufficient to overthrow. To give all the instances of violation of historic truth which these letters contain would be impossible, without transferring the greater portion of them to these pages; but a few may be cited; and one is as efficient as fifty in proving the fallacy of these pretensions.

1°. In the long letter which was written, according to the rebel journal, between the 23rd and the 27th of January, 1567, we find this passage: "Ane gentilman of the Erle of Lennox come and maid his commendatiouns to me, and excusit him that he come not to meet me, be ressoun he durst not intrerpyse the same, becaus of the rude wordis that I had spokin to Cunninghame, and he desyrit that he suld come to the inquisitioun of ye mater yat I suspectit him of * *. I answerit to him that thair was na recept culd serve aganis feir, and that he wald not be affrayit in case he wer not culpabill." The only thing that Lennox was ever suspected of was a concern in the murder of Riccio,

and it must be to this, therefore, that the letter refers. And nothing would be more natural than that he should be unwilling to come out and meet the Queen, because of some unremoved ill-feeling towards him, which he might suppose this feeling to have generated in her mind. But Lennox had received a formal pardon for his share in the murder of Riccio, immediately after that event;[60] and so far was he from considering himself as suspected by Mary, or looked upon with an evil eye by her, that he wrote to her a letter in September, 1566, couched in very friendly terms, to entreat her to use her influence to prevent the King's departure from Scotland.[61] The statement of the letter is, therefore, historically false.

2°. In the same letter Mary is made to tell us of some doubts which were in a letter of Lennox, which caused her to speak rudely to Cunningham, its bearer. Since Lennox was not in the habit of writing often to Mary, we are enabled to state with the utmost certainty that none of his letters, up to the time when this pretends to be written, contained any such doubts expressed in them. But we can easily discover the cause of this mistake; for, in a letter sent by Lennox to Mary, by the hands of Cunningham,[62] he does express doubts

(60) Holingshed, II. 383. Knox, 393.
(61) Keith, 346, 348. (62) Apud Anderson, I. 40—45.

which affect the honour of Mary, and which would call forth an angry reply; and this plain anticipation of a posterior fact could never occur in a genuine letter.

3°. The King is said to have enquired wherefore she came to see him. But it is shown, by incontrovertible and unanswered testimony, that she went to him on this occasion, in consequence of a special request from himself.[63]

4°. Mary is represented as asking Darnley a question about a former letter of his to her, "quhairintill he pleinzeit of the crueltie of sum," and requiring from him an explanation of its meaning. Now, she had answered this letter at length some time before,[64] and had found; at that time, no point in it which required any explanation; and it is incredible that this letter, thus answered, should have been the first subject of conversation at a meeting, when one of the parties was lying dangerously ill, and especially when a reconciliation—whether feigned or real it matters not here—had taken place, which could not fail to be disturbed by the mention of a letter which would revive angry feelings in the minds of both.

5°. Darnley is made to complain that the Queen

(63) "And therefore hearing and advertised that he . . . desired to see her."—*Leslie*, 11, apud *Anderson*, I.

(64) Keith, 350. Stuart, I. 158.

was pensive;[65] but all historians, of all parties, agree that she was cheerful and attentive to him in a very high degree—conduct which some attribute to artifice, but which others, of whom I confess myself one, ascribe to the genuine outpourings of a generous and forgiving heart. The statement, then, in the letter, that she was pensive and melancholy, is contradicted by every writer; but Dr. Robertson, with that unfairness which distinguishes all his writings with regard to Mary, and which seems to have been mainly produced by the bitter Anti-Catholic feeling which breathed through every line he wrote, appeals for the confirmation of his arguments to these letters, which, as he observes, "lay open the whole scene of iniquity," and which yet entirely contradict his statement by one important assertion, which he has chosen to overlook.

6°. We are told that when Mary taxed the King with his intention to leave the kingdom, he denied it, and swore that he had never entertained any such design. But he had imparted his project to his father, in July or August, 1566; had spoken of it to Le Croc in the September of the same year;[66] and, in the presence of the Queen and the Lords of

(65) Hume, V. 109. Robertson's Scotland, I. 408. Stuart, I. 186. Laing, I. 27. Lingard, VII. 362. Mackintosh, III. 84. Buchanan, 72, apud Anderson, II.

(66) Keith, 346, 7.

the Council, had admitted the fact, taking leave of Mary with a declaration that it would be long before she saw his face again. And that, after all this public acknowledgment, he should utterly deny the intention, and swear that he never entertained it, must be considered as among the wildest of suppositions.

7°. In the same letter the Queen is made to relate, that she proposed to Darnley that he should go to Craigmillar; and that he assented, and declared himself to be ready whenever she pleased. But this is very far removed from the truth; for Nelson, a personal servant of the King's, tells us that, "it was dewysed in Glasgow that the King suld haif lyne first at Craigmillar; *bot becaus he had na will thairof*, the purpois was altered and conclusioun takin that he suld ly besyde the kirk of Field."[67]

8°. In the second letter, which purports to be written from Glasgow, on Saturday morning (Jan. 25, 1567), and which alone has any date, the fictitious Mary reproaches Bothwell for having delayed his return longer than he had promised. But he started on the evening of the 24th from Edinburgh for Lyddesdale,[68] a distance of sixty miles, and

(67) Cott. MSS. Calig. C. I. fol. 165, apud Anderson, IV. ii. 165. Goodall, II. 244.

(68) "1566-7, January. The Quene remaynit at Glascow, lyck as she did the 25th and the 26th, and hayd the conference

Mary, writing on the next morning, is made to reproach him because he had not performed that journey, over a wretched road, and in the worst season of the year, completed all his business there, and returned to Glasgow — a distance of eighty miles—in somewhat more than twelve hours! And, to add to the absurdity, Bothwell is declared to have promised this impossibility.[69]

9°. In the same letter, Mary is made to tell Bothwell that she is about to bring her husband with her to Craigmillar. But the rebel journal, speaking of the day before the 24th, tells us that, "Bothwell this 24the day, wes found verray tymus weseing the kyngis ludging that wes in preparing for him,"[70] and, the day before, his arrival in Edin-

with the King whereof she wryttis; and in this tyme wrapt hir BYLLE and uther letteris to Bothwell. And Bothwell this 24the day wes found verray tymus weséing the Kyngis ludging that wes in preparing for him, and the same nycht tuik journay towards Lyddisdaill."—*Murray, Cott. MSS. Calig.* B. IX. fol. 247, apud *Anderson*, II. 272. *Goodall*, II. 247.

(69) Mr. Laing most impotently attempts to pervert the passage, and thus obviate this strong argument. The words are, "At zour departing ze promysit to mak me Advertysement of zour Newis from tyme to tyme. The waiting upon yame zisterday causit me to be almaist in sic joy as I will be at zour returning, quhilk ze have delayit longer than zour promeis was." Laing is positive that "quhilk" (which) refers to "newis," and not to "returning;" but surely the simplest child must see at once that such an interpretation is forced, unnecessary, and in violation of the simplest rules of grammar.

(70) Murray, Cott. MSS. Calig. B. IX. fol. 247. Anderson, II. 271. Goodall, II. 247.

burgh is noticed.[71] And we know that she did bring him to Edinburgh, and not to Craigmillar.

10°. In another letter, written, according to the journal, between the 21st and 23rd of April,[72] Bothwell is directed to excuse himself to the Lords, and to endeavour to persuade them that the seizure was necessary; and, above all, to "speik mony fayr wordis to Lethington." But Lethington was, at that very time, in attendance on the Queen at Stirling,[73] and, consequently, quite inaccessible to Bothwell, who was at Edinburgh.

11°. In another letter, Mary declares herself to be guarded by three hundred horse on that journey on which she was captured by Bothwell. But we know that she was slightly guarded,[74] and was even "passing secretlie on her way;"[75] and the misrepresenta-

(71) "1566-7, January 23. Erle Huntly and Bothwell returnit that same nycht to Edynbrough, and Bothwell lay in the town."—*Murray, Cott. MSS. Calig.* B. IX. fol. 247. *Anderson*, II. 272. *Goodall*, II. 247.

(72) The assumed date is thus found. This letter is one of those concerning the contrivance of the capture; and in Murray's Journal we find, under April 21, 1567—"Mounday, the Quene raid to Stirling, as it wes devysit, and from thence wreyt the letteris concerning the purpose devysit of hir ravishing;" and on April 24, the capture took place.—*Murray, Cott. MSS. Calig.* B. IX. fol. 247. *Anderson*, II. 275. *Goodall*, II. 249.

(73) Keith, 383. Robertson's Scotland, II. 337. Melvil, 80. Anderson, II. 275.

(74) Craufurd, 19.

(75) "Be ressoun we wer past secretlie towartis Stirling."—*Mary to the Bishop of Dumblane*, apud *Anderson*, I. 95.

tion, while it points distinctly to the forgery, shows us the malice of the foes of Mary, who thus endeavoured, by representing her as well guarded, when she was, in truth, but slightly attended, to destroy the involuntary character of the seizure.

12°. And, in conclusion, we may cite two or three instances of an anticipation of events posterior to the period of the letters, which can be accounted for by nothing but the supposition of their forgery. In a letter, said to be written from Stirling, between the 21st and 23rd of April, 1567,—and, therefore, at the utmost, not more than four days after the signature, by the nobles, of that solemn obligation in which they bound themselves by the most sacred pledges to promote the marriage of Bothwell and Mary, calling down upon their own heads every species of dishonour, should they violate that solemn vow—she is made to urge, as a probable effect of the seizure, that the lords would unsay themselves, and deny that which they had before declared. That any one should imagine this, after perusing the stringent terms of their engagement, would argue a degree of depravity of soul, and a familiarity with treachery and vice, which no one can ever for a moment attribute to Mary: and it is possible to account for the insertion of the clause only by the fact, that the lords did afterwards pursue that course of conduct, and that the forger was unable to banish

the recollection of this circumstance from his mind, and thus heedlessly mentioned it in a position in which it could never have been naturally named. Mary is made to reproach Bothwell in an earlier letter, with all the evils he had drawn upon her—a plain anticipation of subsequent events, since at that period he had been the cause of none; and, finally, Huntly is designated, in an address to Bothwell, as his brother-in-law, that was in clear anticipation of the divorce, which was not completed until some time after the assumed date of this letter. And these add their rays to those which our former detections of historical falsehood have furnished; and the whole combine to pour a full blaze of light upon the forgery of these celebrated letters.[76]

I have thus endeavoured to present to my reader, in as brief and condensed a manner as the nature of the subject will permit, a few of those points in these disputed documents from which it would seem not unjust to infer that they are fabrications, and by no means the genuine productions of the Scottish Queen. To those who desire to pursue the subject in its more minute divisions, the works of Goodall, of Whitaker, and of Tytler, will present an ample field of study; and the luminous reasoning

(76) Appendix E.

with which their pages are filled, will well repay the student's labours; but my aim has been here to put forward the more prominent features of the case, for the information of those who are debarred, by want of time or inclination, from investigating for themselves. To hope to have convinced all, would, I fear, be vain; but, for my own part, I am free to confess, that a consideration of the various points of their history, the language of the evident original, the peculiar characteristics of their contents, and, above all, their violations of historic truth, and anticipations of subsequent transactions, have fixed the conviction of their forgery indelibly in my mind. If I have made a single convert to the truth, I shall feel that I have not laboured all in vain; but I venture to encourage yet higher anticipations, and to hope that very few who have perused the arguments which I have presented to them, will be inclined to dissent from the opinion of Dr. Johnson, who, after a careful consideration of the evidence, declared, "that these letters were forged is now made so probable, that perhaps they will never more be cited as testimonies."[77]

(77) Dr. Johnson, in the Gentleman's Magazine, October, 1760.

CHAPTER III.

THE ACCUSATION OF THE EARL OF MURRAY AND HIS ASSOCIATES AS THE CONTRIVERS AND PERPETRATORS OF THE MURDER OF THE KING — REFUTATION OF POPULAR OBJECTIONS TO THE TRUTH OF THIS CHARGE—GROUNDS OF SUSPICION AGAINST THE EARL DEDUCED FROM HIS GENERAL CHARACTER AND CONDUCT —SUMMARY OF THE EVIDENCE WITH REGARD TO THE MURDER OF DARNLEY—DEMONSTRATION OF THE INNOCENCE OF MARY IN EVERY BRANCH OF THE INVESTIGATION — CAUSES WHICH GAVE RISE TO AND ENCOURAGED THE CHARGE AGAINST THE SCOTTISH QUEEN.

It will, probably, be remembered by the reader that Mary, in the reply which she made to the accusation of her rebels, did not confine herself to an assertion of her innocence, but also fixed the charge upon the very men who had cast the imputation upon her; declaring, that of that crime with which they had charged her, they themselves were "authoris, inventeris, doaris, and sum of thame proper executeris."[1] And the charge thus brought

(1) "Forsamekill as the Erle of Murray and his adherentis, our rebellious subjectis, have eikit unto thair pretendit excusis, producit be thame for cullouring of thair horribill crymes and offences committit aganis us, thair soverane Ladie and Maistres, in siclyke wordis, 'That as the Erle of Bothwell has bene the

forward was not suffered to rest here. In a letter, dated the second of January, 1568, she says—"We have bene informit and understandis anouch daylie be letteris and reportis to mak our guid sister knaw that thay ar tratouris, first inventaris, conspiratouris and sum of thame executouris of the murthour of the King, our husband; * * quhairof I am deliberat to gif zou sic instructiounis schortlie that may mak the samin mair manifest as occasioun servis,"[2] and she thus manifested the strongest intention to press forward the accusation, and to adduce the proofs by which it was to be supported—those very proofs of which the Earl of Sussex had before declared, that they were better fitted to stand the test of judicial examination than those which had been brought forward by her accusers.[3]

But it comported little with the views of Elizabeth and the desires of Cecil that such a course should be pursued. The schemes which had been so long in progress, and which now seemed to approach maturity, for the destruction of Mary,

principal executor of the murthour committit in the persoun of umquhile Hary Stewart our husband, swa we knew, counsallit, devysit, perswadit and commandit the said murthour;' thay have falselie, traitourouslie, and meschantlie lyed; imputing unto us maliciouslie the cryme quhairof thameselfis ar authouris, inventeris, doaris, and sum of thame proper executeris."—*Cott. MSS. Titus*, C. XII. apud *Goodall*, II. 285.

(2) Cott. MSS. Titus, C. XII. apud Goodall, II. 298.

(3) Lodge's Illustrations, II. 1, 2.

would receive a death-blow from the demonstration of her innocence which the proofs of the culpability of Murray would afford, and her character, rendered brighter by the refining fire of adversity, would shine resplendent; while Elizabeth, the firm and devoted ally of a convicted murderer and traitor, would be humbled to the dust in the eyes of the world, which though not over virtuous itself, is ever ready to detect and punish the slightest deviation from rectitude in others. No sooner was this last declaration of Mary read, avowing her own innocence, and offering to substantiate her charge against Murray, than Elizabeth, as has been already stated, urged that very compromise[4] which she had before decried as unworthy of the honour of her good sister;[5] and when this had failed, when the proposal had been rejected with all the high-spirited scorn of outraged innocence by the indignant Mary, another expedient was adopted, which succeeded in attaining the object in view by stifling all further proceedings in the affair. The Commissioners of Mary were, on Tuesday, the eleventh of January, 1568, called into the presence of the English council, and there, being confronted with Murray and his associates, they were informed by Sir William Cecil,—a man whose name, if it stands high in the

(4) Cott. MSS. Titus, C. XII. apud Goodall, II. 300.
(5) Ibid. apud Goodall, II. 268.

scale of wisdom and sagacity, is deservedly low in that of probity and moral worth,—that Elizabeth, who had always denied to Mary permission to return to her kingdom till she had refuted the charges against her, had licensed the Earl of Murray and his party to return into Scotland; although the same accusation had been brought against him by his Queen. And they were asked whether they would accuse Murray and his party of the murder, either in their own names, or in the name of the Queen their mistress.

To this their answer was very plain and decisive. They averred that they had received special commands from Mary, by her letters under her signet and hand-writing, at several times; which letters they had shown to the Queen of England and her Council, and of which they had also given a copy to Elizabeth, on the 23rd of December, in which they were expressly commanded by her to accuse the Earl of Murray and his adherents, as principal authors, inventors, doers, and some of them actual perpetrators of the murder. They declared that, in conformity to these instructions, they had already publicly given in their charge in writing to the Council, and had offered to abide by its contents. And they promised that so soon as their Queen should be allowed those copies of the papers given in against her, without which she could not hope to

accomplish her own defence, she would particularly nominate those of the company of the Earl, who were guilty of the murder, and would sufficiently verify and prove the imputations which she had cast upon them.[6]

Nothing could apparently be more fair and reasonable than such an offer as this; but, just in the same proportion that it was fair and reasonable, so was it distasteful to those to whom it was addressed. And in order to avert the evils which seemed to be

(6) "That thay had ressavit special command of the Quene's Majestie, thair Maistres, be hir letteris under hir signet and handrit, at several tymes; quhilkis letteris thay had schawin to the Quene's Majestie of Ingland, and hir counsal; of the quhilkis thay had alswa gevin in the extract and copie to the Quene's Majestie, the xxiiij. day of December last; be the quhilk thay wer expresslie commandit be the Quene thair Maistres, to accuse the said Erle of Murray, and utheris his adherentis, to be principal authouris, inventeris, doaris, and sum of thame proper exequutouris of the foirsaid murthour. Conform to the quhilk letteris thay had alreadie publictlie gevin in thair accusatioun in write to the Quene's Majestie, and hir Hienes's counsal, and offerit thame constantlie to abide thairat in thair Maistres's name; and had offerit alswa to defend hir innocencie, and to answer to all the calumnies alledgit or producit aganis hir, swa being that scho micht have the copies of the pretendit writtingis gevin in, publictlie or privatlie, aganis the Quene thair Maistres; quhilkis thay have diverse tymes requirit of the Quene's Majestie and hir counsal, suppois thay have not as zit obtenit the samin: And how sone that thay ressavit the copies thairof, scho wald answer thairto, in defence of hir innocencie, and alswa particularlie nominat and accuse such persounis bein present of thair cumpanie as wer guiltie of that murthour; and wald verifie and pruif the samin sufficientlie."—*Cott. MSS. Titus*, C. XII. apud *Goodall*, II. 308.

impending, another device was resorted to, which will, perhaps, excite some surprise. For the Commissioners were asked whether they would, as of themselves, accuse the Earl of Murray, or any of his party, and rest the question of his guilt upon their personal accusation.[7] Their answer was an open and a manly one. They declared, "That they tuik God to witness that nane of thame thré did ever knaw ony thing of the conspiracie of that murthour, or was in counsal or foirknawledge thairof nather quha wer devysaris, inventaris, or executouris of the samin, quhill it was publictlie revelit lang thairefter be sum of the executouris quha sufferit deid thairfoir. * * And albeit sensyne sum informatioun was cum to thair earis of thame quha wer participant of the devyse and executioun of the samin, zit thay came not here present to declare thair thought and meaning, quhidder the Erle of Murray and his cumpany wer cleire or guiltie thairof; for thay did presentlie accuse in the Queens Majestie thair maistres name. But quhensoever the Quenes Majestie thair Maistres did nominat and accuse thame in particular, that thay wald utter thair meaning and knawledge thairof and discharge thair dewtie and consciences

(7) "And thay being alswa requirit, Gif thay, or ony of thame, as of thameselfis, wald accuse the said Erle in special, or ony of his adherentis, or thought thame guiltie thairof."—*Cott. MSS. Titus*, C. XII. apud *Goodall*, II. 308.

thairintill; bot presentlie wald nather acquite nor condemn thame farther nor the Quene thair maistris for the present had commandit thame to do."[8] And, after the utterance of a boast from Murray, that he would proceed to Bolton and see whether the Queen would herself accuse him; to which it was responded that such a proceeding was unnecessary, since her letters sufficiently manifested her resolution, the parties separated; and on the next day the Earl of Murray and his adherents obtained license to depart into Scotland.

I confess it appears to me that the declaration of the Commissioners of Mary is sufficiently simple and distinct, and incapable of misunderstanding by those who really seek for its true meaning; but it is astonishing to observe the quibblings and prevarications which have been raised upon it, and the marvellous fictions which have been put forward in assumed descriptions of the conduct of the deputies of Mary. The silence of Lord Hereys, we are informed, with regard to any evidence in his possession, proves that he was ignorant of that anecdote which is detailed in the joint production of Leslie and himself, and which to this day remains unrefuted, concerning the Earl of Murray, and the general silence of the Commissioners, with regard

(8) Cott. MSS. Titus, C. XII. apud Goodall, II. 308.

to their own knowledge of the proofs of Murray's guilt, is adduced by the same writer, (I need not say that it is Mr. Laing) as a demonstration that they, "according to their own account,"—though where that account is lodged yet remains, and I fear will remain, a profound and inscrutable mystery—"were reduced to the disgraceful situation of men obliged to assert her innocence when convinced of her guilt."[9] But if this blind partisan had perused carefully the answer in question, if he had even looked a little more carefully at the abstract of it which he himself presents, he would have perceived that the Commissioners of Mary are very far from asserting that they were unacquainted with any proofs of the guilt of Murray. On the contrary they declare, almost expressly, that they had received information which would fix the crime upon those who had really committed it; referring, undoubtedly, to their former statement, in a letter on the 1st of December, that the guilt of Murray and his party "was maid manifest befoir ten thousand pepill, at the executioun of certan the principall offendaris at Edinburgh;[10] but they at the same time aver, that

(9) Laing, I. 194.

(10) "Quhairof thay themselfis, that now pretend herewith to excuse their own treasouns, were the first inventaris, writers with their own handis of that devilish band, the conspiracy of the slaughter of that innocent young Gentleman Henry Stewart, lait spouse till our Soveraigne, and presentit to their wickit

their duty was not to accuse Murray and the rest upon their own authority, but to act only in accordance with the instructions of their Queen. And a consideration of their position with regard to Mary will show that they were right in so doing; and will, at the same time, suggest a parallel case which must remove whatever doubts we may entertain upon the subject.

The Commissioners of Mary can be looked upon only as her advocates or counsel. They were, indeed, men of high station, and very well acquainted, from personal experience, with the events more particularly connected with her cause; but they derived their powers solely from the commission which she had bestowed upon them, and were, of course, bound to proceed only in accordance with the instructions with which she had provided them. In all these respects they were perfectly in the position of a counsel who undertakes the cause of his client; except, perhaps, that their independent powers were even more limited than his. And their situation, when called to this meeting, was precisely that of a lawyer who has been retained in

confederate, James Earl Bothwell, as was maid manifest befoir ten thousand pepill at the execution of certain the principall offendaris at Edinburgh."—*Mary's Commissioners to the Commissioners of the Queen of England*, Dec. 1, 1568. *Cott. MSS. Calig.* C. I. fol. 234; and *Titus*, C. XII. apud *Anderson*, IV. ii. 129. *Goodall*, II. 213.

a cause; but who has not yet received his brief, from which to learn the line of evidence by which that cause is to be supported.

Let us suppose, then, (if we can imagine so unjust and arbitrary a proceeding,) that a judge, knowing that a certain barrister was in this position, —retained, but not yet furnished with evidence by his client—should call him into Court at a period far earlier than that assigned for the trial; should there confront him—not with the advocate of the other side, but—with the accused party himself; and, informing him that he designed to give to that party leave to depart beyond the reach of justice, should demand whether he would accuse him, in his own name, of those crimes which were imputed to him by his opponent! Even admitting that that barrister's private knowledge of the circumstances of the case was the most intimate and minute, what would be his obvious line of duty? Would it not be to declare that he was there to accuse the defendant, not in his own name, but as the representative of an absent client; that his duty was, therefore, to adopt that line of evidence which his client should dictate; and that, since he had not yet been furnished with instructions how to act, he could do no more than reiterate the charge in the name of his client, and offer to appear and substantiate it, whenever the necessary evidence should

be placed in his hands?[11] Such, I apprehend, would be the course which every prudent man would adopt, and every just man approve: and such was precisely the course adopted by the Commissioners of Queen Mary. For my own part, I cannot perceive how any blame can justly be attached to them for their conduct; while, on the other hand, the proceeding of Elizabeth, in thus attempting to stifle the inquisition, and afterwards permitting Murray to retire,—paralleled as it is in the first part by an instance which the industry of Mr. Tytler has discovered in more recent times, in which the very same species of expedient was adopted, and with similar success, in order to defeat the ends of justice, and screen the guilty from pursuit,—casts no very shining light upon her not over-brilliant character for justice.[12]

(11) The curious feature in this matter is, that Elizabeth allowed Murray to confront his accusers after he had been charged with the murder, because he desired it; while she denied this privilege to the warmest prayers of Mary. Yet, even in the face of this, Hume avers, that "her conduct was entirely equal to both parties!"—*Hume*, V. 143.

(12) As Mr. Laing has sneered at this instance quoted by Mr. Tytler, and designated it "an absurd story of a Scotch appeal," (I. 193, note 97,) I shall take the liberty to relate it here. The case cited was this:—In 1734, a petition was presented to the House of Lords by the Dukes of Hamilton, Queensberry, and Montrose, and other peers, praying for an enquiry into certain mal-practices which, they alleged, had taken place in the election of the sixteen Scotch representative Peers. But it was ordered by the House that the petitioners should give in a statement, in writing,

The charge itself, however, demands our notice and consideration. To those who agree with Laing that " the accusation against Murray and his associates had no necessary connexion with Mary's innocence or defence, as their guilt could neither disprove nor extenuate hers,"[13] it may appear somewhat useless to enter upon this question here; but Bayle,—a man of a mind far more profound and critical than that of Laing, and, moreover, a writer by no means prejudiced in favour of Mary,—has a remark on this point of a very opposite character, and, as it seems to me, very worthy of our attention. For he says, " One of two things must have been the case; either that they who forced that Princess out of her kingdom, were the greatest villains in nature; or that she was the most infamous of women. These are two scales of a balance, equally poised; you cannot load the one without lightening the other precisely to the same degree. In the same manner, whatever serves to acquit the Queen, aggravates the guilt of her enemies in the same proportion; and, whatever

of the practices complained of, and also name those whom they suspected, before the enquiry began. And as this would have involved the personal accusation by these noblemen of those then in the highest power, the matter dropped. *Protests of House of Lords*, Feb. 1734. *Tytler*, I. 152. How far Mr. Laing's sneers are deserved, the reader can judge for himself.

(13) Laing, I. 200.

serves to load the Queen, extenuates their crime in a like degree."[14] And, since I am inclined to respect the opinion of this learned writer more than that of the historian who advocates the contrary view, I shall venture to occupy a few pages with the consideration of the question of the guilt of Murray, together with Morton and Lethington, his associates, dividing the subject under those two heads which the objections to the accusation naturally suggest—the manner and period of its production, and the evidence by which it is to be supported. I might, indeed, dwell largely upon another point, and devote pages of conjectural hypotheses to the motives which may have induced the Earl to commit this atrocious crime; which, if we may believe the assertion of Hume,[15] it is impossible to discover. But, bearing in mind the remark of Dr. Lingard, that "it is the privilege of the novelist to be always acquainted with the secret motives of those whose conduct and characters he delineates; while the writer of history can know no more than his authorities have disclosed, or the facts themselves necessarily suggest."[16] I shall abstain from treading so far beyond the province of a historian; and, although I might urge that the ambition which guided Murray in all

(14) Bayle's Historical Dictionary, II. 181.
(15) Hume, V. 151, note *h*. (16) Lingard, I. Preface, vii.

the actions of his life, the hatred which he entertained towards Darnley, on account of his desertion of his friends after the murder of Riccio, and the avarice which was disappointed at the revocation of the grant of the Crown, and which gratified itself immediately after the murder by a restoration of this recalled property,[17] are motives sufficiently strong to account for the most nefarious actions, I shall prefer avoiding such dangerous and hypothetical grounds; and shall feel contented if I succeed in proving that the manner in which the charge was produced casts no suspicion upon it; and, in moreover demonstrating that the presumptions by which it is supported are such as to warrant us in according to it our belief.

I. In order to cast discredit upon the accusation which Mary mooted, it is sneered at as a mere recrimination; and we are told that it was advanced at a late period, and called forth only by the charge of Murray.[18] Even were this true, could it be shown clearly and beyond dispute, that no mention was ever made of this conviction on the part of Mary until the period named, I confess I do not

(17) The Acts of Parliament fully prove the falsity of the statement printed in Robertson's Scotland, II. 326.—*Act of Parliament*, II. 547. *Keith*, 378.

(18) Hume, V. 151.

see that, under the peculiar circumstances of the case, this would tend to invalidate its strength when it was at length adduced. Tenderness for the reputation of a brother whom she always loved, and whose death called forth genuine and heartfelt tears from her eyes, even after so many evils had, through his means, descended on her head; the desire to avoid coming to extremities with one of whose superior power and favour with Elizabeth she was already conscious, and the hope of ultimate reconciliation if she should avoid such a proceeding, would each have been sufficient motives to induce her to suppress that charge, which was at length called forth by the conduct of the Earl,—his shameful calumniation of her name. But, that the assertion is untrue, is a position capable of the clearest proof. In the letter in which she first announced her arrival in England to Elizabeth, she declared that her rebels had devised, favoured, subscribed to, and aided in a crime for the purpose of charging it upon her;[19] to Knollis she distinctly affirmed, soon after her arrival, that Lyddington and Morton were consenting to the murder of her

(19) "Mays eulx non encores contents de tant de Bienfayts, non obstant leur promesse, au contrere ont devisé, et favorisé, et signé, et assisté a un crisme pour le me metre faulsement a subs, comme j'espere le vous fayre conoitre a plain."—*Mary to Elizabeth*, May 17, 1568. *Cott. MSS. Calig.* C. I. fol. 68, apud *Anderson*, IV. 30. *Strickland's Letters of Mary*, I. 40.

husband, as could be well proved, though now they did seem to persecute the same,[20] and, in order to place the matter beyond doubt, by resting the fact on the testimony of those whom the most sceptical will not be inclined to disbelieve, Sussex, in his letter to Cecil, in October, 1568, notices her intention to charge her rebels with the murder;[21] and Cecil himself, at a still earlier period, on the 20th of June in that year, about one month after her coming, enumerates in one of his private papers, among the arguments in her favour, that "she offer'd to chardg hir subjects that have deposed hir with the cryme wherewith she is charged."[22] And when such evidence as this exists, to prove that Mary had urged the guilt of her accusers from the earliest period,—long before they had manifested an intention to accuse her in England,—surely it must be considered as the height of folly and absurdity to object to the accusation as a mere recrimination called forth by the charge of Murray.

(20) "And withall she affyrmed that both Lyddyngton and the Lord Morton were assentyng to the murder of her husband, as it cowld well be proved, althoe nowe they wold seme to persequte the same."—*Knollis, Cott. MSS. Calig.* C. I. fol. 79, apud *Anderson*, IV. 55.

(21) Lodge, II. 1, 2.

(22) Cott. MSS. Calig. C. I. fol. 105, apud Anderson, IV. 100.

II. But the other question with regard to the evidence of the truth of the imputation, is far more worthy of our attentive consideration. And, in relation to this, Mr. Hume says, "Unless we take this angry accusation advanced by Queen Mary to be an argument of Murray's guilt, there remains not the least presumption which should lead us to suspect him to have been anywise an accomplice in the King's murder."[23] It may not be amiss to remark, that nothing can be more incorrect than the position which is here evidently assumed by the historian—that from Mary alone emanated the accusation against Murray. The common rumour which spread itself throughout Britain, when the deed was done, affixed the perpetration of it to Morton and himself;"[24] the murderers who were executed for the crime avowed on the scaffold that Murray had been the first promoter of the murder;[25] the Scottish nobles who met at Dumbarton in September, 1568, and among whom we see seven Earls, twelve Lords, eight Bishops, and many

(23) Hume, V. 151, note *h*. (24) Camden, I. 88.

(25) "We can tell you, that John Haye of Galoway, that Powry, that Dowglish, and last of al, that Paris, al being put to Death for this Crime, toke God to recorde, at the Time of their Death, that this murther was by your Counsayle, Invention, and Drift committed, who also declared, that they never knew the Queene to be participant or ware thereof."—*Leslie*, 76, apud *Anderson*, I. *Cott. MSS. Calig.* C. I. fol. 234. *Anderson*, IV. ii. 129. *Goodall*, II. 213, and *Camden*, I. 97.

others, averred the same thing; Bothwell, writing from Denmark, confirmed the same charge;[26] and when Lord Hereys—who had not scrupled privately to declare his opinions on the subject—was challenged by Lindsay, who probably had no share in the murder, as to whether he had intended to designate him, he replied that he had not; but added, "let oucht of the Principallis that is of thame subscryve the like writing ze have send me, and I shall point them forth; and fight with sum of the traitouris thairin: for metest it is that tratouris sould pay for thair awin tressoun;"[27] and this bold challenge—which Mr. Laing avers acquits Murray by implication, but which seems to me to accuse him, and that somewhat explicitly—never met with the slightest answer. These facts will suffice to show that, even if there were no presumptions whatever which could be adduced, the charge against Murray would not rest solely upon the authority of Mary. But are there no such presumptions? A few moments' investigation will probably convince us that there are very many.

No point has been more disputed among historians, both in his own age and in later times, than the character of this extraordinary man. Extolled

(26) Bothwell, apud Strickland's Letters of Mary, I. 218.

(27) Biblioth. Pepysian, Magdalen College, Cambridge. State Papers, fol. 148. Goodall, II. 272.

as the possessor of every virtue by Buchanan—the creature of his bounty and the tool of his vilest designs, an anarchist in politics, an atheist in religion, and a libertine in morals, his praises have been reiterated by others, who, if they had not the turpitude, wanted also the eloquence and ability, of his early panegyrist; and one of his latest admirers, Sir James Mackintosh,—a writer whose celebrity makes us wish that he had left us a history more commensurate with his pretensions to fame,—caps the climax of adulation, by declaring that the highest encomiums on his moral character are not impugned by one authenticated fact."[28] Let us glance, then, for a moment at the life of this paragon of perfection.

His first appearance on the scene, in the reign of Mary, is in the not very estimable character of an apostate and a traitor. Bred to the church, he had been placed by his father, James V., in the priory of St. Andrew's; but, finding it more convenient to desert his first profession, he had put off the religion which he had assumed, and appeared, at the death of the Queen Regent, as the leader of the powerful body of the Protestants of Scotland. And we see that, even then, his ambitious spirit was on the alert, and loyalty and affection were alike

(28) Mackintosh's History of England; III. 141.

forgotten in an attempt to deprive his sister of her crown. The letters of Randolph to Cecil declare that a party then existed in Scotland to place Murray on the throne, to which design he was in no degree averse;[29] Elizabeth herself confesses that a conspiracy to this effect was revealed to her by Lethington—the ally and tool of Murray;"[30] and the Scottish lords confirm the statement by averring the same thing in their Instructions to the Commissioners of Mary.[31] And, although he was disappointed in attaining the immediate object which he had in view, yet the failure resulted not from the absence of exertion on his own part; for we learn from Camden, on the authority of letters which he had himself seen, that Murray had endeavoured to cause Elizabeth to intercept Mary on her way to Scotland,[32]—an attempt, which we have the authority of Bacon for declaring was actually made,"[33]

(29) Forbes, I. 130. (30) Cott. MSS. Calig. C. IX.

(31) Cott. MSS. Titus, C. XII. apud Goodall, II. 357.

(32) " Hee being frustrate of his hope and sore chafed in mind returning thorow England, suggested to the English, that if they would have Religion in Scotland maintained, tranquillity in England preserved, and the Queenes security assured, they should by any meanes whatsoever stop the Queene of Scot's passage into Scotland."—*Camden*, I. 89.

(33) " Besides, think you that the Scottish Queen's suit, made in all friendly manner, to come through England, at the time she left France to come into Scotland, and the denial thereof, except the treaty were ratified, is by them forgotten? or else your sending of your ships to sea at the time of her pasage?"—*Lord Keeper*

while Randolph, the spy of the English Queen in Scotland, confirms the view which this gives of the feelings of the party, by averring that Murray, Lethington, and Morton, desired that she might be stayed for a space, and, if it were not for their obedience sake, would not care if they never saw her face again;[34] and the same writer alludes to Murray, as a man of whom the English Queen was sure in any emergency that might occur.[35]

The ambition of any moderate-minded man would have been satisfied with the power which Murray acquired when Mary assumed her sway in Scotland. Entrusted by her with the chief direction of affairs, because she saw him to be at the head of the larger section of her subjects, in respect of religious belief, and exercising so despotic a sway over her that none could obtain access to her person without the intercession of his favour, so that, to use the expressive language of the Scottish peers, "he was onlie recognoscit as Prince and her Majesty but a Shadow;"[36] it would seem that he must have attained the summit of his ambition, and would now rest secure in the possession of his lofty

Bacon, 1562, from a *MS. entitled*, "*Placita Secreti Consilii*," in the *Library of the University of Cambridge*. *Goodall*, I. 175.

(34) Cott. MSS. Calig. B. X. fol. 32 apud Robertson's Scotland, Vol. I. Appendix, No. 11.

(35) Keith, 241.

(36) Cott. MSS. Titus, C. XII. apud Goodall, II. 358.

honours. But higher dreams had already entered his ever-busy brain. The next heir—a Hamilton—was a Catholic in creed, and, imbued with the belief that the prejudice of the nation against the members of that Church would be sufficient to assist him in his traitorous design, he attempted to set aside the regular succession, to cause the crown to descend to himself, incapacitated as he was by the impurity of his blood, and actually besought the Queen to subscribe an instrument subverting, in this extraordinary manner, the constitutional lineage of the throne.[37] But Mary had too much good sense to hearken to such a proposition, and she turned a deaf ear to the solicitations of Murray.

When the second marriage of Mary was in contemplation, the Earl was again aroused into action. Although he had been denied that formal acknowledgment of his claim which he desired, his chances of success were yet considerable, if Mary should die without issue, and the succession to the Crown should rest between the Hamiltons and himself; but the marriage of the Queen would be an almost certain death-blow to his cherished hopes. When required, therefore, by her to give his consent, in common with the other nobles, to an union which set at rest some conflicting claims to the throne, and fulfilled an object openly

(37) Cott. MSS. Titus, C. XII. apud Goodall, II. 338.

avowed by James V.[38] he positively refused to do so, and resisted every attempt which was made to alter his resolute determination; and, when he found that his efforts were unavailing, he joined in a conspiracy which had for its object the murder of Darnley, and his father, Lennox, and the imprisonment of Mary in Loch-Leven castle. This is a very singular and a very important fact, especially worthy of our consideration, and yet very little known to the general body of historical readers. It introduces us to Murray as an intended murderer of Darnley; it tears off that mask of sanctity which he always contrived to assume, and inclines us to look with less incredulity than we might otherwise feel upon the statement that he was concerned in the final catastrophe of the life of that unhappy prince. Since the existence of the plot is admitted by Robertson and Hume, though they endeavour to soften the actual object of the conspirators, it may seem scarcely necessary to dwell upon the evidence by which it may be supported; yet it may not be amiss to observe, that, in addition to the distinct avowal of Melvil,[39] the hints of Randolph,[40]

(38) Robertson's Scotland, I. 319. Tytler's Enquiry. I. 368.

(39) "But my Lord Duke of Chattellerault, my Lordis of Argile, Rothes, Murray, Glencairr, and divers other Lordis, withstood the said marriage; who * * * made an essay to take the said Lord Darnly in the Queen's company at the Raid of Baith."—*Melvil*, 56.

(40) Randolph was asked whether the Governor of Berwick

and a very curious entry in the journal of Cecil, which states the execution of the design,[41] we have the full declaration of three Scottish noblemen—the Earls of Argyle, and Rothes, and the Lord Boyd, who were themselves concerned in the transaction—who, seeing the errors of their conduct, afterwards joined the party of the Queen, and avowed, in their instructions to her Commissioners, that Murray, "he himself, and his assistaris conspirit the slauchter of the said Lord Darnly, being then appointit to be marryit with hir Grace, and als of his Father, and divers uther Nobilmen being in hir Graces cumpanie and followaris at that tyme and swa to have imprisounit hir Hienes's self in Lochlevin, and detenit hir Grace there all the dayis of hir lyfe and he to have usurpit the government."[42] Unable to succeed in bringing his plans to maturity, and detected by the Queen the day before that of the intended execution of the plot, Murray ventured to break out into open rebellion; but the body of the nation flocked around the standard of their Queen, and the arch traitor was driven into the exile, which his crimes so richly deserved, leaving

would receive Lennox and Darnly if they were delivered to him. He answered in the affirmative. *Keith*, 390. He also assigns the flight of Mary to this cause.—*Ibid*, 391.

(41) "July 7. A rumour spread that the Queen of Scots should be taken by the Lords Argyle and Murray." *Murdin*, 759. The plan was to have been executed on the 1st of July.

(42) Cott. MSS. Titus, C. XII. apud Goodall, II. 358.

behind him, however, Morton and Lethington—men strongly attached to his party, and scarcely less nefarious than himself, but wanting that master-mind which enabled him to make the game of villainy always profitable, and secure himself from danger, while he reaped all the advantages of success.

And circumstances soon occurred which rendered the presence of such allies necessary, and called their ingenuity and daring into active operation. The Queen had become pregnant, and the hopes which Murray had entertained seemed thus about to vanish for ever, while a more immediate danger presented itself in a Parliament which had been summoned for the attainder of the partakers in the late rebellion; and, in order to avert this blow, a plot was conceived and carried into execution, which was very effectual in preventing the approaching peril, and which seemed very likely to effect the other object, and to destroy all hope of present succession, even if it did not sacrifice the life of the Queen herself. The murder of Riccio was the scheme in question; and as I have already dwelt upon it somewhat at length, it will be necessary here only to recapitulate, that while Morton led the band of the assassins, Murray was an assenting party, and actually joined in articles, which are still preserved, in order to ensure its perpetration. When

restored by this means to power, we find him foremost in soliciting the Queen to be divorced from her husband; and when Lethington, hinting at some dark schemes, which Mary instantly and firmly repudiated, averred that Murray would "look through his fingers" at whatever proceedings they might adopt, we do not discover that the high-minded and spotless noble raised a breath in opposition to this assertion of his intriguing ally.

And may we not rest here, and proceed no farther in our investigation of the conduct of Murray? Have we not already found sufficient reason to conclude that he was not the perfect being which his admirers have described him to be? And may we not determine, without violence to our judgment, that it is possible to entertain a very unfavourable opinion of his character, without "framing an hypothetical web from the perversion of history"[43] for his condemnation? Above all, do not the facts which have been developed, with regard to the history of Murray, in connexion with Lord Darnley, afford us very good ground for supposing that he had indeed a hand in the destruction of that unhappy prince? Setting aside all the after circumstances of a suspicious nature, —the manner in which the murder was committed

(43) Mackintosh's History of England, III. 141.

to ensure the publicity of the deed,—the declaration of Murray to his servant, which stands upon indisputable authority,—his signature of the bond for procuring the marriage of Bothwell,—and a thousand other particulars, which have already been narrated—setting aside all these, and referring only to his earlier conduct, I would appeal to every candid and impartial reader, whether we have not ample reason for casting upon him the suspicion which it has been endeavoured to affix to his name? When we see a young and inoffensive monarch deliberately murdered in cold blood, and when we perceive that, in the same country, and very near to him, was a man who had before plotted his destruction, and whose allies filled every important office in the Court, common sense would at once point to that man as the murderer, and would justly impute to him the crime which he had before contemplated, but which had now been actually committed, rather than to a wife who had always met error with forgiveness, who had now extended the olive-branch of peace, and was affectionately tending the couch of her repentant husband. In the one case, we have only to believe that which every species of evidence seems to confirm,—that the motives which induced Murray at first to attempt the life of Darnley, yet remained unaltered; in

the other, we must do violence to the character of Mary; attribute every action to a dissimulation which formed no portion of her nature, and imagine a scene of iniquity which it is scarcely possible to conceive. The rumour, which spread throughout Britain, that Murray and Morton were the authors of the murder,[44] shows what was the natural course of public opinion then; and the circumstances which time has since revealed, and which industry has collected, confirm the correctness of the popular suspicion; while the conduct of Murray, in departing from London when the charge was given in, and when it had been declared that the matter should be proceeded with so soon as the evidence should arrive—so different from the course pursued by Mary, who continually offered, and earnestly desired, to answer fully to the accusation against her, if that reasonable request should be granted, which would alone enable her successfully to do so—adds great weight to the suspicion, by showing that he was unwilling to submit his case to the test of a rigid investigation. And when we compare all these with the opinion of Sussex, that the proofs which Mary could adduce against her rebels were better calculated to bear examination than those by which they supported their accusation of her;

(44) Camden, I. 88.

and bear in mind, at the same time, that Morton, one of the associates of Murray in the Commission, was afterwards executed for the murder of Darnley, while Lethington, another of the band, was tried and imprisoned on the same account—we shall not hesitate long before coming to the conclusion, that nothing can betray greater ignorance, or greater disingenuousness, than the assertion that no presumption exists to support the charge against Murray and his associates. Since the accusation was crushed before it could proceed to any investigation, the positive proofs by which it would then have been confirmed, are not within our reach; but, so far as presumptions and circumstantial evidence can extend, the case against Murray is far too strong to be overthrown by all the force which the zeal, the eloquence, or the ability of his admirers can bring to its assault. And the innocence of Mary is proved on the principle of the illustrious Bayle, by the clear demonstration of the villainy of her accusers.

In closing this minute, and, I fear, to some, rather tedious, investigation of the whole evidence in relation to the murder of Darnley, it is scarcely necessary to recapitulate the conclusions which have been formed with regard to the various sections of the evidence, since every point which we have

considered affords the same proof of the innocence of the Queen. Her utter freedom from any share, direct or indirect, in the murder of her husband, and the villainy and baseness of her accusers, have been deduced so clearly from historical facts, that it must become a matter of wonder to a calm and impartial reader who reviews the facts which have been detailed, that any controversy should ever have existed, or that, having once arisen, it should have subsisted so long as this has now endured. But the Reformation, taking place about the period of these momentous and singular events, had divided the people of both sections of this island into two great parties; who hated each other with a bitterness perfectly mutual, and rivalled each the other in virulence of abuse and phrenzied fury of bigoted animosity; while the zeal with which the religious prejudices of the reformers induced them to persecute a princess of the ancient Church, was fanned into an overwhelming blaze by the envious malignity of a woman, whose equal this world never saw, and, it is hoped, never will see again, in the diabolical fury of her anger, the licentious depravity of her morals, and the reckless disregard of morality and honour which characterized the chief actions of her life. And when the political disputes of the succeeding reigns had created still wider divisions between different

portions of the British people, when it became a part of the political creed of those who sought for popular favour to malign and load with obloquy the ill-fated house to which this Queen belonged, and when party writers, overlooking the high virtues which had distinguished those noble men, visited their rage upon the characters of the princes of the line of Stuart with all the malignity which their cankered minds could produce, the fate of Mary, so far as regarded the opinion of the world, seemed sealed for ever. But, when a time of calm reflection had succeeded to the turbulent events of that tempestuous period; when men began to perceive that not one party alone had erred, but both had been, in some degree, subject to their faults—though these on the one side, and that the side which had long been thought immaculate, had degenerated into the blackest crimes; when those who had before been bewildered and blinded by popular clamour began to recognize the fact, that the true liberties of the people had been most endangered by those who pretended to espouse the people's cause, and who had poured out the blood of their sacred King as a sacrifice on the altar—not of liberty, but—of ambition, a new era commenced in the history of the fame of Mary. When suspicion had once lighted upon the former idols; when the bright veil of perfection had been torn from the figures of the

instigators of rebellion, and their true motives, overflowing with self in its most odious forms, were presented to view, and men began to examine more minutely the statements which they had put forward, and investigated for themselves the truth of those calumnies which they had cast upon the memory of their helpless victims, the case of Mary began to be investigated with calm and patient attention; and, at length, when nearly two centuries of unmerited obloquy had rested upon her name, the first of her modern champions started into the field, and commenced the great work of her perfect vindication. And, though the dark spirit of her early persecutors yet lived in the hearts of some, and enlisted two of the most distinguished writers of that age in the ranks of her foes, yet the little band of her defenders began slowly and gradually to increase; the men, whose warm and generous hearts had often melted at the recital of Mary's woes, now rushed eagerly to her defence, convinced of her innocence and honour; and her friends increased as each impartial eye perused the evidence in her defence. Rising, at first from one single voice which raised its noble, though feeble, tones against the prejudices of the world, the cause of the injured Queen now assumed an importance which secured to it the respectful attention of men, and, at length, called forth one of the most distin-

guished Scottish writers of his day, to endeavour to uphold the sinking cause of her nefarious foes. But the productions of this last writer are a fitting representative of those of the party in this controversy whose cause he has espoused. Quibbling and prevarication, a perversion and misrepresentation of the plainest and most indubitable facts, fiction, invective, and the grossest and most unsparing abuse of her defenders, have ever constituted the arms of the defamers of Mary; but the calm and sober voice of impartial men, from the illustrious Camden down to the amiable and excellent Whitaker, and the most impartial of our historians, Lingard, has deduced her innocence from the moral evidence which her conduct affords, and from a careful and impartial examination of facts. Pretending no intimate acquaintance with the hidden springs of human action in the minds of men who lived some three centuries ago, I have indulged in no minute speculations with regard to those of the actors in the scenes to which this controversy refers; but I have endeavoured, with some degree of brevity, and a studious exercise of the most patient care, to present the merits of the controversy to my reader in the few chapters which have been devoted to its consideration; and, though it must still be expected that an occasional voice will be raised in opposition to the conclusions which

I have enforced, yet I feel assured that, in the mind of every impartial reader, the innocence of Mary of any participation in the murder of her husband must hereafter be accepted as one of those established truths of history, which the feeble malignity of party spirit in vain endeavours to overthrow.

CHAPTER IV.

CONTINUED DETENTION OF MARY—AID AFFORDED TO HER FOES—CHARACTER OF NORFOLK—ENCOURAGEMENT OF THE PROJECTED MARRIAGE BY THE ENGLISH NOBLES—INTERFERENCE OF ELIZABETH — TREACHERY OF LEICESTER — SHORT IMPRISONMENT OF NORFOLK — THE RUDOLPHE PLOT — TRIAL OF NORFOLK—UNJUST PROCEEDINGS ON THIS OCCASION—EXECUTION OF NORFOLK—RIGOUR EXERCISED TOWARDS MARY — COMPLAINTS OF HER MISERABLE CONDITION—BENEVOLENCE AND PIETY OF THE CAPTIVE QUEEN — PLEA OF MARY FOR LIBERTY OF CONSCIENCE — MACHINATIONS OF ELIZABETH TO PROCURE THE MURDER OF MARY—ACT OF ASSOCIATION—SCRIPTURAL REASONS FOR MARY'S DEATH — LICENTIOUS WORDING OF THE STATUTE OF SUCCESSION — DANGER TO THE ENGLISH REALM FROM THE PRESENCE OF THE CAPTIVE QUEEN — NECESSITY FOR SOME NEW MEANS TO SECURE HER DESTRUCTION.

THE long-protracted conferences being at an end, and the opinion of Elizabeth having been declared that nothing had been brought forward by the accusers which could induce, in her own mind, any evil opinion of her good sister the Scottish Queen, it might, not unreasonably, be expected that Mary would have immediately received her liberty, and that the promises of aid which first entrapped her into England, and the fulfilment of which had been suspended on the alleged ground of suspicion

resting upon her character, would have now been fully and instantly performed. But the principles of justice which swayed the mind of "good Queen Bess," were very different from those which control the actions of ordinary mortals. Thinking it, in the first instance, a very praiseworthy and excellent stratagem to cast into prison and detain in duress one who had thrown herself into her arms, enticed by her promises of protection and assistance, her tender conscience did not now revolt from the still more flagrant injustice of detaining Mary still a captive, after she had declared that her enemies had been able to prove nothing against her fame, and, at the same time allowing her rebellious subjects to retreat to Scotland, and even assisting them with money to do so;[1] and, by thus allowing, as is too often the case, the one fault to hurry her into the commission of another of still greater magnitude, she violated every principle of equity, and has shrouded her name with a perpetual veil of infamy and shame. In vain did Mary address to her the most piteous supplications, in vain did she implore her to extend to her that bare justice which is due from every man to the meanest of his fellow-creatures. Casting aside those claims which her

(1) Rymer's Fœdera, XV. 677-8.

regal birth would have well justified her in urging, she sought only for the privileges of a human being; but even these were denied to her, and she was compelled to linger on, for eighteen long and dreary years, in a miserable captivity, exposed to all the hardships which the meanest of criminals could be constrained to suffer, without hope for the future, and with no solace for the woes of the present, but the upright purity of a spotless heart.

But the spirit of chivalry which animated the breasts of the men of the olden time, was not yet dead in England, and one of the highest of her nobles, touched with a sense of Mary's wrongs, attempted to raise a hand in her glorious cause, animated alike with indignation at the oppression which she had sustained, and with the tender sentiments towards her person which her charms and her sorrows had excited in his breast. This was the Duke of Norfolk—a nobleman whose memory must ever be held dear by those who do not blush to avow their admiration of heroism, even when it fails to be crowned with success — a man who inherited, with their distinguished honours, all the high virtues which had marked a long line of illustrious predecessors. At a very early period he seems to have felt that confidence in the purity of the Scottish Queen, and that honest abhorrence of the villainy of her accusers, which his position

would naturally cause him to entertain, viewing, as he did, in his official capacity, all the evidence against her, and perceiving, as he must have done, the utter futility of its character, and the forgery and fraud which were marked in every line; and, if any confirmation had been wanting to impress this still more forcibly upon his mind, he would have found it in the assurances of Lethington, himself one of the band of accusers, who incited him to think Mary innocent of the crimes which he and his associates had secretly alleged against her.[2] But, the nature of his position, and the well-known feelings of Elizabeth and her companion in all atrocities, Cecil, made it necessary that Norfolk should, in some wise, play the hypocrite, in order to retain the power to aid the cause of the injured Queen; for the declaration of his belief in her innocence would have at once caused his removal from his office as commissioner, and, just as Juliet, when she wishes to conceal her affection for her Romeo, exclaims:

"Would, none but I might venge my cousin's death!
* * * * * * *
Indeed, I never shall be satisfied
With Romeo, till I behold him.—Dead—
Is my poor heart, so for a kinsman vex'd:
Madam, if you could find out but a man
To bear a poison, I would temper it;

(2) Murdin, 164.

That Romeo should, upon receipt thereof,
Soon sleep in quiet. O, how my heart abhors
To hear him nam'd, and cannot come to him,
To wreak the love I bore my cousin
Upon his body that hath slaughter'd him!"

so did Norfolk, in language susceptible of a double interpretation, allow the English Court to think that he believed Mary guilty, while, at the same time, he carefully avoided any clear expression of an opinion to which he could not in sincerity subscribe. Many instances of this might be cited were it necessary to do so; but those who remember, that when he spoke of the dreadful and horrible matters which had been disclosed, he declared not which party these matters touched; that he spoke of the Regent and his associates, as men who had only their own ends in view,[3] and whose treachery of character rendered it necessary to use the utmost caution in any attempt at negotiation with them;[4] and that, even in the official despatches, the deductions drawn from the letters are always qualified with

(3) "They playe at no small game; they stand for ther lyves, lands, and goods."—*Norfolk to Pembroke. Paper Office*, apud *Goodall*, II. 154.

(4) "You schall fynde in the ende, that as there be sume fewe in thys companye that mynde playnlye and trulye, so ther be others that seek hollye to sarve ther owne partycular turnes, the wyche beyng done, they care not what becumes nether of Quene nor Kynge."—*Norfolk to Cecil. Paper Office. Goodall*, II, 157.

the clause "if they be her own hand writ indede;" in which point of view the most ardent friend of Mary will scarcely dissent from the conclusions which are put forward; we shall not need much argument to convince us, that Norfolk assumed the slight mask of hypocrisy which he then wore only for the purpose of enabling himself the more efficiently to serve the cause of Mary; and that he was really convinced of that innocence, which his subsequent conduct would lead us to suppose him firmly to have believed.

When the Conferences were at an end, the notion of a marriage between Norfolk and Mary, which had been first suggested about the time of the Conferences at York, was again revived; and it now met with the full approval of the English peers,[5] who seem to have felt and resented, with that noble sense of justice and that quick and tender sympathy for the oppressed, which happily characterises our nation, the atrocious treatment which Mary had

(5) "For the nobles of England that were appointed to heare and examine al suche Matters as the Rebels should lay against the Quene . . . have moved the said Quene of Scotland also that it may please her to accept and like of the most noblest Man of all England, betwene whome and her there might be a Mariage concluded to the Quieting and Comforte of both the Realmes of England and Scotland." *Leslie*, 80, apud *Anderson*, I. "And with this that they were moste humble suters to except the first in all degrees of their Nobles in marriage."—*Leslie*, apud *Anderson*, III. 58.

received at the hands of her pretended friend, the "gude sister" of her more prosperous days. It might well be imagined, that the widowed heart of the Queen of Scots shrunk from the reception of another husband; but gratitude for the services and attachment of Norfolk, combined perhaps with some fear for her own safety, should she be abandoned to the tender mercies of Elizabeth, unprotected by any friendly hand, induced her at last to yield to his vehement persuasions, and to promise to complete a union with him so soon as the sanction of the Queen should be procured;[6] promising, however, at the same time, to do nothing which might be prejudicial, either to Elizabeth or her successors, with regard to the possession of the throne; and pledging her word for the establishment of the Protestant religion in the realm of Scotland.

But the English Queen was but little satisfied with this scheme; and the rapidity of Norfolk's proceedings soon roused her attention, and incited her to interfere to prevent the accomplishment of his designs. Enraged, on all occasions, at the marriage of any in her Court, and repressing and discouraging by every means in her power any inclination which they might manifest towards such a step, it was, of course, still more distasteful to her,

(6) "She wished them, first and foremost, to get the Queenes assent."—*Camden*, I. 129.

that her envied rival should again be admitted into that state which she was debarred from entering;[7] and, more especially, that all the guilt which she had incurred in endeavouring to effect her ruin, should be thus rendered fruitless by an alliance so peculiarly advantageous; and it was not very long before her words were made the messengers of her angry thoughts. Alluding sarcastically to that charge which, according to her own decision, the accusers of Mary had failed to sustain, she warned him to beware on what pillow he laid his head;[8] and though the influence which this ominous warning exercised on the duke was very slight, yet it produced an effect, in another quarter, of a very important nature. Among those who had originally favoured the marriage was the Earl of Leicester—a man of the utmost duplicity of character, guiding all his actions by the meanest considerations of personal interest, the murderer of his wife, when his hopes had been raised to the possession of his Queen; a perfect specimen, in fact, of the Eliza-

(7) On this curious point of history cf. Camden, I. 83, III. 9, and Mary to Elizabeth, apud Murdin, 558. With regard to this letter of Mary's, I do not see any reason to doubt that it was really hers, written, however, as is distinctly stated in it, at the express desire of Elizabeth. Time has confirmed almost every statement in it.—*Lingard*, VIII. 407, note.

(8) "The Queene tooke the Duke to her bourd at Franham and pleasantly gave him warning to beware upon what pillow he leaned his head."—*Camden*, I. 129.

bethan statesman of the school of Cecil; and so long as there seemed any chance of the success of the project, he was happy to secure for himself future favour by placing himself in the ranks of its supporters. But, so soon as it became evident that the completion of the union would draw down upon the heads of its contrivers the vengeance of those in power, the Earl of Leicester forgot his pledge of inviolable secresy; and, pretending a fit of sickness, induced the Queen to visit him, and then revealed the whole particulars of the designs of Mary's friends.[9] Elizabeth immediately reproached the duke for negotiating the matter without her permission, and commanded him to proceed no further in it; but the proud spirit of a Howard resented with indignation the despotic injunction; and, while he assured her, as was undoubtedly the case, that he had, throughout the whole matter, done all in his power to secure her honour and immunity, he refused to obey a command uttered at a moment when anger had evidently assumed the sole control over her mind; and when he found that it was hopeless to resist, he left the Court in disgust, with some of his supporters, among whom were

(9) "At length Leicester fell sicke at Tichfield, or at least wise counterfeited himselfe so to be. The Queene comming to visit him found his breath and blood to be retired inward through feare: to whom he opened the whole matter from the first beginning, with sighs and teares, craving pardon."—*Camden*, I. 129.

Arundel and Pembroke, (honoured be their names!) and retired to his mansion at Kenninghall, without even exchanging a parting salutation with the Queen.

This step awakened the alarm of Elizabeth in no slight degree, and precautionary measures were adopted with the utmost precipitation. Conscious that the injustice of her conduct towards Mary must arouse the indignation and disgust of those whose minds were influenced by extraneous feelings, she attempted to call religious bigotry to her aid, and, by writing to the leading Protestants in the various counties, and exciting their fears of a rebellion which would have for its object the placing a Catholic on the throne, she enlisted in her favour all those fanatical sentiments which prevailed so unhappily in that age, and which, just as they had lighted the fires of Smithfield for the Protestants in the reign of her predecessor, kept the rack in constant operation upon the Catholics under the sway of the maiden Queen.[10] Precautions of the most

(10) Rishton, in his Diarium, at the end of his edition of Sanders, gives a very full detail of some of these atrocities, which he saw during his own imprisonment in the Tower. The reader may form some notion of these transactions from a few specimens.

"1580, Dec. 5. Several Catholics were brought from different prisons.

"Dec. 10. Thomas Cottam and Luke Kirbye, priests, (two of the number) suffered compression in the scavenger's daughter for more than an hour. Cottam bled profusely from the nose.

"Dec. 15. Ralph Sherwine and Robert Johnson, priests, were severely tortured on the rack.

rigid nature were taken to prevent the escape of Mary, and the fears of the government even induced them to violate every species of faith, by detaining and opening the despatches of the French ambassador.

At the same time every persuasion was employed by Elizabeth and her council to induce Norfolk to return to Court, and he at length most unwisely consented so to do. As might have been anticipated, he was seized at St. Alban's; and, after having been detained a short time at Burnham, was sent a prisoner to the Tower. But it was soon perceived that the purpose which Elizabeth had entertained of trying him for high treason could not be persevered in, since not a particle of evidence existed to sustain such a charge; yet this was with her no great reason against his detention, for the actions of that amiable princess were seldom influenced very greatly by considerations of justice, when any special end was to be served by her proceedings; and it is somewhat doubtful whether he would

"Dec. 16. Ralph Sherwine was tortured a second time on the rack.

"Dec. 31. John Hart, after being chained five days to the floor, was led to the rack. Also Henry Orton, a lay gentleman.

"1581, Jan. 3. Christopher Thompson, an aged priest, was brought to the Tower, and racked the same day."

He goes on in this manner till June 21, 1585, when he was discharged. For these extracts from his Diarium I am indebted to Dr. Lingard, VIII. 424.

have been liberated, had not his conscientiousness yielded to his love of liberty, in a degree, which all who respect his memory must regret, inducing him to subscribe to a promise to proceed no further in the negotiation of the marriage, when it was evidently by no means his intention to observe the pledge. Still, though, as moralists, it is incumbent upon us to condemn his conduct, we may find very considerable excuses for it in the arbitrary actions of Elizabeth, the strong interest which he felt for Mary, and the impossibility of obtaining, in any other manner, that liberty which was valuable chiefly because it enabled him to serve her cause.

But his liberty was not of very long duration; for the ingenuity of his foes,—among whom Cecil was the most powerful and the most hypocritical,[11]—very soon contrived a reason for his apprehension, and fabricated a case sufficient to secure his death; and this was the conspiracy known as the Rudolphi Plot. To enter here into the minute consideration of this very interesting point of history, would demand more time and space than can well be spared for its investigation, and would, also, be somewhat foreign to our purpose in a life of Mary,

(11) The letters of Norfolk show that he believed Cecil his friend; but that minister urged his execution. "Your own father was esteemed to be the contriver of Norfolk's ruin."—*Raleigh to Sir Robert Cecil, Murdin*, 811.

to which the history of Norfolk can be regarded only as an allowable episode; but since the character of the duke must be interesting to those who feel some attachment to the memory of the warm and ardent friends of the Scottish Queen, it may not be unacceptable to submit the conclusions which a patient examination of the matter has led me to adopt. It would seem that, despairing of effecting the liberation of Mary, and her restitution to the Scottish throne, by those internal forces which were within his reach, Norfolk had applied, through Rudolphi, a Florentine merchant, to the Pope, the Duke of Alva, and the King of Spain, for money and troops to attempt the overthrow of her foes in that country, and her restitution to her regal power. Of the design for the invasion of England, of which we find historians speaking, there is not the shadow of a proof; all the forces were evidently to be used in Scotland; and the sending of money to Lord Hereys in that country, first caused the detection of his scheme.

The charge, however, which was brought against him on his trial was so tortured in order to convert it into treason, that it will be very difficult to recognize it as having any connexion with the truth. He was accused of imagining and compassing the death of his sovereign: 1. By attempting to complete a marriage with the Scottish Queen, knowing

that she claimed the Crown of England to the exclusion of Elizabeth. 2. By endeavouring, through Rudolphi, to induce foreign powers to invade the English realm;—and, 3. By sending supplies of money to the aid of the English rebels, and of the Scotch, who were enemies of the Queen. But to all these allegations his answers were easy, explicit, and incontrovertible, for he maintained, 1. That the Queen of Scots could not be regarded as a rival to Elizabeth in the claim to the English throne, as she had, ever since the death of Francis, abstained from assuming the title of Queen of England, and had constantly offered to renounce it in full form, if Elizabeth would acknowledge her claim to the succession on her death. 2. That he had always understood that the sole object of Rudolphi was to procure aid for the Scottish subjects of Mary, in their endeavours to overthrow the rebels who had dethroned her;—and, 3. That the assertion, that he had furnished the English rebels with money was untrue: and, though he had assisted the Scotch in this manner, yet he considered that he had not acted wrongly, since he had but aided the devoted friends of Mary, whose ally and supporter Elizabeth had always professed herself to be.[12]

(12) Camden, II. 32—40. Howell's State Trials, I. 957—1042. Sadler, II. 341.

But the justice of his cause, and the perfect conclusiveness of his answers, availed him but little when his judges had already determined on his condemnation; and the irregularities and injustice of his trial, unfortunately but too correct a specimen of many in that age, have been so ably pointed out by Dr. Lingard, that I cannot resist the temptation to transcribe his accurate and forcible detail. "The history of this trial," observes this impartial historian, "will show how difficult it was, according to the jurisprudence of that age, for any prisoner to escape conviction under a prosecution by the crown. The Duke of Norfolk had been a close prisoner in the Tower during eighteen weeks. He had been deprived of the use of books, and debarred from all communication with his friends. He received notice of trial only the evening before his arraignment. He was kept in ignorance of the charges against him till he heard the indictment from the bar. He was refused the aid of counsel to suggest advice, or to unravel the sophistry of the crown lawyers. *They* came to the cause with the subjects of discussion prepared and digested; with a voluminous mass of papers, and with notes to aid their memory; *he* was called to answer, without preparation, to numerous circumstances of persons, places, conversations, and dates, which ran through the space

of the three last years. The evidence against him consisted partly of letters, but principally of confessions extorted from the other prisoners by the pain of the rack, or the hope of life.* Of these confessions only such passages as bore against the prisoner were made public; whatever might furnish a presumption in his favour, or throw discredit on the witnesses, (and there is much of this description in the original papers,) was carefully suppressed. But of that suppression the prisoner

* At the trial the confessions were represented as made voluntarily; yet, on Sept. 15, the Queen, in the hand-writing of Burghley, ordered the prisoners to be put to the "rack, and find the taste thereof;" and Sir Thomas Smyth, in a letter of Sept. 17 says, "I suppose we have gotton so mych at this tyme as is lyke to be had; yet to morrow we do intend to bring a couple of them to the rack, not in any hope to get anything worthy that payne or feare, but because it is so earnestly commanded unto us." And Sept. 20, "of Banister with the rack, of Barker with the extreame feare of it, we suppose to have gotten all." *Ellis*, II. 261. *Murdin*, 95, 101. To prevail on the Bishop of Ross to confess, he was promised that his depositions should not be employed against any man, they were required merely to satisfy the Queen's own mind; but it was added, that if he refused, he should be most certainly executed." *Anderson*, III. 199, 200, 202. Just before the trial, the Master of the Requests came up and required him to be present at the proceedings; he refused, saying, "I never conferred with the Duke myself on any of these matters, but only by his servants, nor yet heard him speak one word at any time against his duty to his prince or country; and if I shall be forced to be present, I will publicly profess before the whole nobility that he never opened his mouth maliciously or traitorously against the Queen or the realm." *Ibid*, 229, 230. This design was therefore abandoned, but great use was made of the confessions of the bishop contrary to the previous promise.—*Note by Dr. Lingard.*

was kept in ignorance; and, when he maintained that credit was not due to men whose interest it was to accuse *him* that they might save their own lives, he was told that the deponents had sworn to the truth of their answer, and that his bare denial was of no weight in opposition to their oaths. He then demanded that they should be confronted with him, and appealed to the protection granted to prisoners by the statute of Edward VI.; but it was replied that that statute 'had been found too hard and dangerous for the prince, and therefore had been repealed.'[13] When he again repeated his denial of treason, a message was delivered from the Queen, that she had received full confirmation of the charge from a foreign ambassador; but that, as it would be imprudent to disclose it in public, the peers might learn the particulars from their colleagues of the Council in private. They retired; the new evidence was laid before them in the absence of the accused; an hour was spent in consultation, and a unanimous verdict of guilty was returned."[14] Norfolk died as he had lived, a noble and heroic man; and, while all must regret that the love of life, so

(13) There was some reason in this, for the system of detection by spies rendered the production of witnesses in such a case destructive of their future utility.

(14) Lingard, VIII. 87—88.

instinctive in us all, led him to a show of submission to Elizabeth, unworthy of his character, yet the calm and dignified serenity of his death almost atoned for the temporary vacillation; and every man who has a spark of generous chivalry in his heart must admire that noble devotion which induced him to sacrifice all in defence of an oppressed and helpless woman, and cherish the hope which, I am free to confess, lives warmly in my own breast, that, should he ever be called upon to lay down his life, it may be in a cause as glorious as that for which Norfolk died.

Meanwhile, the rigor with which Mary was treated was increased, and bodily suffering was added to the mental anguish which an unjust captivity must have caused to her high and lofty spirit. Every means had been taken by Elizabeth to destroy her reputation, and to render her infamous in the estimation of the world. While the Detection of Buchanan—one of the vilest libels ever traced by the pen of man—had been circulated under the express direction of the Queen, as a work "likely," to use her own words, "to serve of good effect to disgrace her, which must be done before other purposes can be attained,"[15] the noble vindication of her fame by the illustrious Leslie was diligently suppressed;

(15) Instructions of Elizabeth to her Minister in France, 1571, quoted in Goodall, I. 25.

and so far was this severity carried, that a MS. in the Cottonian Library informs us that one of her defenders was committed to the Tower for penning a volume in her defence.[16] Elizabeth, as we are told, had made a vow, well worthy of herself, that the Queen of Scots' head should never rest;[17] and too well was this vow observed. Transported with rapidity from one prison to another,[18] each exchange sunk her deeper in misery and privation, and bodily disease was soon added to the torturing cares which wrung her heart, and seemed to be fast hurrying her to an untimely end.

Her own eloquent and touching description of her prison at Tutbury, contained in a letter to Mauvissiere, the French Ambassador, will serve as a fit example of the homes in which she, who had long been accustomed to the luxuries of a Court,

(16) Cott. MSS. Calig. C. I. fol. 296.

(17) Elizabeth, on Palm Sunday, 1569, apud Strickland's Letters of Mary, III. 67.

(18) The movements of Mary, during her captivity, were as follows:—From Carlisle, which she reached May 18, 1568, she was removed to Bolton Castle, Yorkshire, July 14, 1568; to Tutbury, Staffordshire, Jan. 1569; to Wingfield, April, 1569; back to Tutbury, Sept. 21, 1569; to Coventry, Nov. 16, 1569; again to Tutbury, Jan. 1570; to Chatsworth, May, 1570; and to Sheffield, Dec. 1570; whence she made many excursions to Chatsworth and Buxton. She was, after fourteen years, transferred to Wingfield, Oct. 1584; thence to Tutbury, Jan. 13, 1585; to Chartley, Staffordshire, Jan. 1586; to Tixal, Aug. 8, 1586; to Chartley, Aug. 28, 1586; and to Fotheringay, Sept. 1586; where she was murdered, Feb. 8, (O. S.) 1587.

was compelled to drag out the weary remnant of her days; separated from all she held dear on earth, and exposed to the constant fear of death, which her conviction of the hatred of Elizabeth towards her could not fail to generate in her mind. "To give you, then," she says, "ocular proof of the situation in which I find myself in regard to dwelling, in the first place; and that you may remonstrate in my behalf on the subject with the said Queen, (who, I presume, has never been accurately informed about it,)[19] I will tell you that I am in a walled enclosure, on the top of a hill, exposed to all the winds and the inclemencies of heaven; within the said enclosure, resembling that of the wood of Vincennes, there is a very old hunting-lodge, built of timber and plaster, cracked in all parts, the plaster adhering nowhere to the wood-work, and broken in numberless places; the said lodge, distant three fathoms or thereabouts from the wall, and situated so low that the rampart of earth which is behind the wall is on a level with the highest point of the building, so that the sun can never shine upon it on that side, nor any fresh air come to it; for which reason it is so damp, that you cannot put any piece of furniture in that part without its being in four days completely covered

(19) How beautifully does Mary's genuine Christianity show itself here towards her cruel oppressor!

with mould. I leave you to think how this must act upon the human body; and, in short, the greater part of it is rather a dungeon for base and abject criminals than a habitation fit for a person of my quality, or even of much lower. I am sure that there is not a nobleman in this kingdom, nor even one of those, who, being inferior to noblemen, wish to reduce me beneath themselves, who would not deem it a tyrannical punishment to be obliged to live for a year in so straitened and inconvenient a habitation as they want to force and constrain me to do; and the only apartments that I have for my own person, consist—and for the truth of this, I can appeal to all those who have been here—of two little miserable rooms, so excessively cold, especially at night, that, but for the ramparts and entrenchments of curtains and tapestry which I have had made, it would not be possible for me to stay in them in the day time; and out of those who have sate up with me at night, during my illnesses, scarcely one has escaped without fluxion, cold, or some disorder. Sir Amyas[20] can bear witness that he has seen three of my women ill at once from this cause alone; and my physician himself, who has had his share of it, has several times positively declared that he will not take

(20) Sir Amias Paulet.

charge of my health during the next winter, if I am to remain in this house. As for replastering, or in any way repairing or enlarging it, you may conceive how wholesome it would be for me to live in such new pieces of patchwork, when I cannot endure the least breath of damp air in the world: and, on this account, it is of no use whatever to offer to make any repairs or new conveniences against the winter. As to the house to which it is proposed that I should remove during the said repairs, it is a building attached, as it were, to this; and my keeper can testify that it is not in his power to lodge the few servants I have, and, without them, I have too many reasons to be afraid of living thus apart, whereof at this time I will say no more. If I must proceed to conveniences, I have not, as I have heretofore informed you, any gallery or cabinet to retire to occasionally alone, excepting two paltry holes, with windows facing the dark surrounding wall, the largest of them not above a fathom and a half square * * * As for the inconveniences of removal at this season, and for the provisions requisite to be made, they did not stand last year upon such ceremony, when they obliged me to leave Sheffield for Winkfield, and Winkfield for this place, in the depth of winter, when I was scarcely able to turn in my bed, which I had kept for nearly three months before * * * *

It seems that, as for me, born a sovereign Queen, who sought refuge in this kingdom upon the assurance and promise of friendship, they wish to make this imprisonment drive me from affliction to affliction to the very last extremity, as if it were not sufficient, that, after seventeen of the best years of my life spent in such misery, I have lost the use of my limbs, and the strength and health of the rest of my body, and that various attacks have been made upon my honour, but they must persecute me into the bargain, and abridge me as much as possible of the property and conveniences yet left me in this world. Learn, then, if you please, gentlemen, if the Queen my good sister intends to treat me in future like a condemned criminal, and to keep me in perpetual imprisonment, as it would appear from the severity with which I am used, without getting rid of me altogether by giving me my liberty (from which, agreeably to the conditions which I offered, she would derive more advantage than she ever will from my detention or death), or, on the other hand, affording me occasion to accommodate myself to her satisfaction in captivity. My requests are not made for pleasure, but from necessity,—not against her safety, but for her honour, and such, I may say, as I have more than justly merited. What encouragement to do better can it be to me to see myself, after the entire voluntary submission to which I

made up my mind, more harshly and rigorously treated than ever, and with more demonstration, in appearance and reality, of ill-will, suspicion, and mistrust!" [21]

How strongly does this touching picture of her captive state—a picture which must make the blood of every man who has a heart, boil with indignation against the oppressor, and melt with tender sympathy for her helpless victim—recal to the memory the beautiful lines which the Scottish bard has placed in the mouth of the imprisoned Mary—

"Now Nature hangs her mantle green
On ev'ry blooming tree,
And spreads her sheets o' daisies white
Out o'er the grassy lea:
Now Phœbus cheers the crystal streams,
And glads the azure skies;
But nought can glad the weary wight
That fast in durance lies.

"Now lav'rocks wake the merry morn,
Aloft on dewy wing;
The merle, in his noontide bower,
Makes woodland echoes ring;
The mavis wild, wi' many a note
Sings drowsy day to rest;
In love and freedom they rejoice,
Wi' care nor thrall opprest.

(21) Mary, Sept. 5, 1585, apud Strickland's Letters of Mary, II. 79—82, 85, 86, 87.

" Now blooms the lily by the bank,
The primrose down the brae;
The hawthorn's budding in the glen,
And milk-white is the slae;
The meanest hind in fair Scotland,
May rove their sweets amang;
But I, the Queen of a' Scotland,
Maun lie in prison strang.

" I was the Queen o' bonnie France,
Where happy I hae been;
Fu' lightly rase I in the morn,
As blythe lay down at e'en;
And I'm the sovereign of Scotland,
And mony a traitor there;
Yet here I lie in foreign bands,
And never-ending care!

" But as for thee, thou false woman,
My sister and my fae,
Grim vengeance yet shall whet a sword
That thro' thy soul shall gae:
The weeping blood in woman's breast
Was never known to thee;
Nor th' balm that draps on wounds of wae
Frae woman's pitying e'e.

" My son! my son! may kinder stars
Upon thy fortune shine;
And may those pleasures gild thy reign,
That ne'er wad blink on mine!
God keep thee fra thy mother's faes,
Or turn their hearts to thee:
And where thou meet'st thy mother's friend,
Remember him for me.

" Oh! soon, to me, may summer's suns
Nae mair light up the morn;
Nae mair, to me, the autumn winds
Wave o'er the yellow corn;
And in the narrow house of death,
Let winter round me rave;
And the next flowers that deck the spring,
Bloom on my peaceful grave!"[22]

Yet, even amid all her woes, Mary found a solace for her sufferings in the consolations of religion, and, secure in the sure refuge of a holy faith, she submitted with resignation to the miseries which were heaped upon her devoted head. "Your imprisonment," she says to Elizabeth, "without any right or just ground, has already destroyed my body, of which you will shortly see the end, if it continues there a little longer; and my enemies will not have much time to glut their cruelty on me: nothing is left of me but the soul, which all your power cannot make captive. Give it, then, room to aspire a little more freely after its salvation, which is all that it now seeks, rather than any grandeur of this world."[23] And the more her sufferings were increased, the more did her glorious and transcendent piety add lustre to her character, and raise her above that world which had been to

(22) Burns.

(23) Mary, Nov. 8, 1582, apud Strickland's Letters of Mary, I. 307.

her a scene of the deepest woe. How exquisite is the spirit which dictated her reflections when death had snatched a faithful servant from her side! "We are bound," she writes to her old and tried ambassador, the Archbishop of Glasgow, "to praise God for all things; but more especially ought we to praise Him because he died a good Christian, a good man, beloved by every one, regretted both by friends and enemies; but, above all, by me, who, having performed the duty of a kind mistress and friend, in seeing him properly treated and attended to, served as a witness of his good end, solemnizing with my tears the close of his life, and accompanying his soul with my prayers. Now he is happy, and there, whither we must all hope to go, while I am deprived, amidst all my affliction, of a tried and faithful servant."[24] And, at a later period, when increased calamities had led her to look forward still more earnestly to death as the termination of her multiplied sorrows, the loss of a beloved uncle called forth reflections as beautiful and as pure. "God be praised," she writes to the same aged prelate; "if He sends me afflictions, He has thus far given me grace to support them. Though I cannot, at the first moment, command my feelings, or prevent the tears that will flow, yet

(24) Mary, Oct. 1570, apud Strickland's Letters of Mary, I. 141.

my long adversity has taught me to hope for consolation for all my afflictions in a better life. Alas! I am a prisoner, and God has bereft me of one of those persons whom I most loved; what shall I say more? He has bereft me, at one blow, of my father and my uncle: I shall now follow, whenever He pleases, with less regret; but yet, instead of comforting me, do not distress yourself too much on my account, lest I might be deprived of a good and faithful servant, which, I feel assured, I have in you."[25] The heartfelt grief, the noble aspiration after that eternity of bliss which was to recompense her for sufferings on earth, and the tender solicitude for her venerable minister and faithful friend, which makes her cast aside all considerations of self in her anxiety for his safety, could have flowed only from a heart as pure and as genuinely good as that of Mary Stuart.

But her piety was not altogether passive, and expressed itself not merely in words, but in those actions which are the sure test of sincere religion. Recognizing in the poor and the afflicted her companions in misery, upon whom fortune had frowned as severely, and, perhaps, as undeservedly, as upon herself, she devoted her time to the relief of their sufferings, and solaced the weary hours

(25) Mary, Feb. 20, 1575, apud Strickland's Letters of Mary, I. 213.

of her captivity in diffusing happiness and comfort among all around her; but the hand of the oppressor was again interposed, and Mary was forbidden to exercise this, the most sacred duty of a christian heart. And the crowning blow of all was soon added, in a circumstance which must have deeply wounded her religious feelings, and which, while it showed her to what sufferings those who conscientiously professed her ancient faith were exposed, taught her to consider that her own life was as much endangered by the bigotry of fanaticism as she had before thought it to be by the envious malignity of political and personal hatred. A young Catholic clergyman, imprisoned in the same edifice with herself, had been treated with a rigour so excessive, that despair at length took possession of his mind; and, unable to endure the accumulated sufferings which persecution heaped upon his head, he terminated his existence opposite to the window of the captive Queen. Then, indeed, was all the latent nobility of her spirit called forth into the activity of existence; and the papist Queen, who had ever set an example of religious toleration which might have been followed with advantage by her Protestant sister,[26] addressed to Elizabeth a

(26) The reader who remembers the conduct of Mary on assuming the government of Scotland, when the desire to have mass free for all who would hear it constituted her highest wish, while

letter, which remains as an eternal monument of the justice of her mind, and the amiable and truly christian charity which characterized her religion. " Permettez moy que je vous die librement," she says, " je vous supplie, à ce poussée de l'entiere affection que j'ay à vostre seureté, qu'il vous est tres dangereux de souffrir vos sujets estre si à l'extremité persecutez et poursuivis contre leur conscience pour le seul respect de Religion; car le desespoir qui de là se peut engendrer aux cœurs de plusieurs, voyans devant leurs yeux leur entiere ruine apprestée, peut produire divers sinistres et incomprehensibles effets, coume il est avenu a ce pauvre homme icy, s'il est vray qu'il ne se soit espargné luy mesme. Mon Secretaire m'a rapporté avoir ouy de vostre bouche, que ce n'a jamais este vostre intention, qu'aucun de vos sujets souffrit pour la seul conscience et religion, et tant que cela a esté observé les premiers ans de vostre regne, vous avez eu beaucoup de tranquilité, ne se trouvans chargez des crimes vers vous. Pour Dieu, Madame,

the Protestants were protected, and their leaders received into favour, may derive some instruction from comparing this with the course pursued by Murray, who swore, when taking upon himself the regency, " and out of this realme of Scotland and impyre thairof, I sall be cairful to ruite all hereticks and enemies to the trew worschip of God, that sall be convict be the trew Kirk of God of the forsaid crimes." *Keith*, 423. The policy of Elizabeth towards those who differed from her in religious creed, has been already sufficiently exposed.

tenez cette sainte resolution, digne de vous et de tous ceux de votre rang : les exemples de nostre siecle par toute la Chrestienté vous ayant donne assez de preuves combien les forces humaines peuvent peu en matiere de Religion, que doit estre inspiree d'en haut."[27] Yet the men who read this noble letter, and see its coincidence with the general course of conduct pursued by Mary towards the Protestants of her own country, and who, at the same time, see the unhappy Catholics racked and imprisoned by the patroness of the Reformation, raise their voices in pious horror against the bigotry and intolerance of the Scottish Queen, while they are content to laud to the skies the persecuting Elizabeth as the best friend of religious freedom!

But it is time that we should revert to another and a far less agreeable scene. Turning from the solitary prison, where the virtues of the oppressed and suffering captive shed upon all around her that mild and radiant lustre which innocence flings about those who have been most roughly treated by Fortune's partial hand, we come to the gay and glittering court of her treacherous foe—dark, dismal, and repulsive, in its moral aspect, as contrasted with the scene which we have left. And we shall see that the most malignant schemes were in

(27) Mary, apud Jebb, II. 585.

agitation for the destruction of the Scottish Queen. Very soon after the termination of the Conferences, and immediately subsequent to the death of Murray, —whose appropriate fate, drawn down upon him by his cruelty and injustice, drew tears from that sister whose persecutor he had ever been, but whose christian spirit taught her to forgive and love her bitterest foes — the Abbot of Dumfermling was sent by the rebels to Queen Elizabeth, to demand the delivery of Mary into their hands. Had the Conferences terminated with a decision against her fame—had it been declared that the matters produced against her, even though they did not fully prove her guilty, inferred very strong presumption against her, then might some justification have been found for such a requisition; but as the case really stood, after the declaration of Elizabeth that nothing had been produced which could induce her to conceive any evil opinion of her good sister, it is almost impossible to imagine any reason which could be adduced to sustain and enforce the demand of the Scottish rebels. Yet Elizabeth seemed by no means loath to accede to their urgent prayer; for she declared, that if they would give her sufficient pledges for the security of Mary's life, she would willingly deliver her person into their hands. But even this flimsy veil was soon torn aside, and the blackness of her heart

exposed in all its hideous deformity to view; for when the Abbot declared that "that would be hard to do, for what in case the Queen dye in the meantime;" she replied, "My lord, I believed you had been a wise man, you would press me to speak what is no ways necessary: you may know that I cannot, but for my honour, require pledges for that end. I think you may judge also of yourself what might be best for me;"[28] in which "her meaning," as the narrator pithily remarks, "might be easily judged and understood," and which exhibits at once the real vileness of her character, and the hypocritical prevarication with which she was accustomed to conceal her worst designs. But this last was very soon laid aside. With the unblushing effrontery, which a long and reckless course of crime never fails to communicate to those who indulge in it, she openly disregarded all her former promises, and offered to the rebels of Scotland to deliver their Queen into their hands, on the express condition that she should be brought to trial, and dealt with as the laws should then decide. This horrible fact, confirmed by the hand of Cecil himself, in his instructions to Killigrew, on a mission to Scotland, in which he dwells on the danger to both the realms from Mary's continued existence, and specially stipulates that, if delivered,

(28) Melvil, 106.

they should "proceed with hir by way of justice, so as nether that realme nor this shuld be endangered by hir herafter,"[29] as had been often offered by the late Regent (Murray), shows us, in the most vivid manner, the danger to which Mary was continually exposed; but, happily, the honour of the Earl of Mar—one of the most estimable of the Scottish nobles—was proof against these black appeals, and he rejected, with all the scorn which it deserved, the odious proposition of his ally.

And, while they were endeavouring to induce others to commit the deed, the Council of Elizabeth were at the same time fomenting measures to facilitate the ultimate destruction of their defenceless captive. At the period of Norfolk's execution, there were not wanting those who urged the murder of the Queen of Scots, and, with all the atrocious cant of Puritanism, mingling blasphemy with absurdity by the prostitution of the sacred words of Scripture to the vilest schemes of human malice, they attempted to prove, by passages from Holy Writ, that it was the positive duty of Elizabeth to put to death the woman upon whose head she had already heaped every species of injury and insult.[30] And at the same

(29) Secret Instructions to H. Killigrew, September 10, 1572, in Lord Burleigh's hand. Murdin, 224. Tytler's Enquiry, II. 314—317. Appendix F.

(30) D'Ewes, 207—212.

time an Act of Parliament was passed, evidently levelled against the friends of Mary, and even against herself, which constituted the affirming that some other person ought to enjoy the Crown, high treason, and condemned to imprisonment for one year and forfeiture of half his goods for the first offence, and to the penalties of a præmunire for the second, any person who should during the Queen's life affirm, by any book, written or printed, that any person, except the natural issue of her body, was the lawful successor to the Crown,—an Act which, as passed, applied only to the future; but which was at first made retrospective, in order to draw Mary and her warmest partizans under the penalties which it inflicted.[31] And upon one clause of it, as confirmed by the Legislature, we find in the annals of Camden a very shrewd and curious observation, which shows us the reputation which the maiden Queen enjoyed, and the extent of unblushing profligacy which some were not unwilling to attribute to her; for he says, "Incredible it is what jeasts lewd catchers of words made amongst themselves by reason of that clause, '*Except the same be the Naturall issue of her body*,' forasmuch as the Lawyers term those children *naturall*, which are gotten out of wed-locke; whom

(31) Hallam's Constitutional History, I. 188, note. D'Ewes, 162.

Nature alone, and not the honesty of Wed-locke hath begotten, and those they call *Lawfull*, according to the ordinary forme of the *Common* Law of *England*, which *are lawfully procreated of the body*. Insomuch as I myselfe, being then a young man, have heard them oftentimes say, that that word was inserted into the Act of purpose by *Leicester*, that he might one day obtrude upon the English some bastard sonne of his for the Queen's naturall issue."[32] When we remember that a bastard son of Leicester, by Elizabeth, did afterwards appear, and was treated in a manner which leaves us no room to doubt that he was looked upon as that which he assumed to be,[33] we shall not find much difficulty in acceding to the explanation of Camden; but, whatever may be our opinion on this point, the fact that such a report as that to which he alludes was current in the nation, when coupled with the no less established fact, that rumours against her chastity were so common that they were made the subject of judicial interference,[34] shows us that the immaculate purity of the Virgin Queen was not so universally confided in as her warm admirers would endeavour to induce us to believe. And, finally, an act of association was entered into by the principal persons in the kingdom, and con-

(32) Camden, II. 29. (33) Lingard, VIII. 458.
(34) Lodge, II. 47.

firmed by Parliament, the offered signature of Mary to which was refused, and the tendency of which, with regard to her, must be obvious to all, since those who gave in their adhesion to it bound themselves, by the most solemn oaths, "to defend the Queen against all her enemies, foreign and domestic; and if violence should be offered to her life, in order to favour the title of any Pretender to the Crown, they not only engaged never to allow or acknowledge the person or persons by whom, *or for whom*, such a detestable act should be committed, but vowed, in the presence of the eternal God, to prosecute such person or persons to the death, and to pursue them with their utmost vengeance, to their utter overthrow and extirpation."[35] And Mary was thus made responsible, even in her life, for the act of the meanest individual who, impressed with the justice of her cause and the validity of her title to the Throne, might choose to raise a weapon in her defence.

But even these formidable menaces were soon found to be quite insufficient to secure peace to the English realm, and to destroy the necessary results of the unjust conduct which had been pursued against the imprisoned Queen. While Mary remained a prisoner in England, the chivalric

(35) State Trials, I. 122.

character of the people, which false refinement and utilitarianism had not yet subdued to the apathetic indifference of the present day, and which made them see in an oppressed and injured woman, an object worthy—not merely of sentimental pity, but —of vigorous action, was continually inciting some of the noblest spirits to espouse her cause, and to peril their lives in attempting to avenge her wrongs. The danger was, indeed, most imminent. Once liberated from her confinement, the Catholics of England, and those of the Protestant body who loved justice better than sectarian bigotry, (though it is to be feared that these would have constituted a miserable band in that age,) would have flocked around her standard, and a few short days might have sufficed to hurl Elizabeth from the Throne, and to render futile the work of years of deceit and crime. It became necessary, therefore, to provide some means by which this danger might be removed; and a plot was soon devised which placed Mary within the power of her foes, and enabled Elizabeth to cap the climax of her crimes by the murder of her persecuted captive.

CHAPTER V.

ANTHONY BABINGTON—MISSION OF BALLARD TO ENGLAND—SCHEME FOR AN INVASION OF ENGLAND BY THE CATHOLIC POWERS — FEELINGS OF THE ENGLISH CATHOLICS—BULL OF PIUS V.—PLANS OF SAVAGE—HIS COALITION WITH BALLARD AND BABINGTON—IMPRUDENCE OF BABINGTON — COMMENCEMENT OF A CORRESPONDENCE BETWEEN THE CONSPIRATORS AND MARY—PLAN OF PROCEEDINGS WITH REGARD TO THE LETTERS—COMMUNICATION TO MARY OF THE ENTIRE PLOT — INTERCEPTION OF MARY'S ANSWER — CAPTURE AND TRIAL OF THE CONSPIRATORS—HORRIBLE CRUELTY OF THEIR EXECUTION—TREATMENT OF MARY—REMONSTRANCES OF THE CAPTIVE QUEEN — PERSUASIONS OF HATTON—COMMENCEMENT OF THE TRIAL—SHAMELESS MENDACITY OF THE JUDGES—ASPECT OF THE TRIAL — MARY'S ADMISSION OF THE CHARGE OF REBELLION — HER DENIAL OF ANY PARTICIPATION IN THE PLOT FOR THE MURDER OF ELIZABETH—EXAMINATION OF THE EVIDENCE ON WHICH SHE WAS CONVICTED—DEMONSTRATION OF THE FALSITY OF THE CHARGE OF INTENDED ASSASSINATION—SENTENCE AGAINST MARY.

AMONG those who most deeply commiserated the condition of the Scottish Queen, and desired most earnestly to restore her to the enjoyment of the simple rights of a human being, was Anthony Babington, of Dethic, in the county of Derby; a young man of good family, accomplished in literature and science, and possessed of ample fortune, and, what was far better, of a heart which could feel for the innocent and oppressed, and which boiled with indignation at

the malignant and heartless cruelty with which the helpless Mary had been treated by her powerful rival. Inclined in the highest degree to engage in any scheme which might advance her cause, or that of the Catholic faith—to which, as the religion of his belief, he was ardently and zealously attached—he was one of those to whom any project against the power or safety of Elizabeth would be instantly imparted, and from whom it would meet with the most eager and enthusiastic support.

And it was not long before such a project was presented to his notice. John Ballard, a priest of the seminary of Rheims, had been sent over from France to obtain an accurate view of the condition and disposition of the Catholics of England; and, while absent on that mission, he contracted a friendship with one Maud—a man who professed the utmost friendship for himself, and the strongest sympathy in his views, but who was in reality a spy, in the employ of Sir Francis Walsingham. Ballard found, as might have been expected, that the feelings of the English Catholics were very strongly excited against their Queen. Viewing her, in the first instance, in her true character of a bastard, and, consequently, looking upon her as incapacitated from holding the crown by the irregularity of her birth, they had ever regarded every moment of her reign as an outrage on the indefeasible rights

of the lawful heir; but now, when all the better feelings of their hearts had been wounded by her odious conduct, when her oppressive statutes had converted into high treason the public profession of religious views,[1] which there is very great reason to believe she herself secretly entertained;[2] and, above all, when her cruel oppression of her hapless sister, had roused into fury every drop of English blood which circled in their veins, their indignation and hatred could no longer be contained; and they watched with eagerness for an opportunity to defend the rights of the lawful heir against the claims of the sanguinary usurper. Returning to France with this information, and still accompanied by Maud, who lost no opportunity to encourage the views which he entertained, Ballard communicated the results of his enquiries to Mendoza, the Spanish Ambassador, and both agreed that the time had now arrived when the blow might be effectually struck against the power of Elizabeth, by com-

(1) 23rd Elizabeth, c. I.

(2) "When Nowel, one of her chaplains, had spoken less reverently, in a sermon before her, of the sign of the cross, she called aloud to him from her closet window, commanding him to retire from that ungodly digression, and to return unto his text. And, on the other side, when one of her divines had preached a sermon in defence of the real presence, she openly gave him thanks for his pains and piety." *Heylin*, 124. If Cecil had not interfered, she would have positively prohibited the marriage of the clergy.—*Strype's Life of Parker*, 107—9.

bining the external aid of Spain, the Pope, the Duke of Guise, and the Prince of Parma, with the internal insurrection of the English Catholics, aided by those Protestants, who, like Norfolk, Arundel, Pembroke and others, had already begun to hate Elizabeth, and to whom even the Papal supremacy was less horrible than the rule of a woman who, whatever sect she might honour by her adhesion, was governed in her actions by no one principle of the Christian code. And, in order to arrange matters for the success of the scheme, Ballard went to London, disguised as an officer; and, assuming the name of Fortescue, applied to Babington as one of those persons upon whose alliance he could most securely count.

But the difficulties which lay in the way of executing the schemes of the Catholics, were far greater than they had at first imagined. Ardent and enthusiastic as their followers were, and righteous as was their cause, the physical strength of the nation was yet in opposition to their views. The temporal power of the Pope had been often so severely exercised, that almost any evil seemed to be preferable to it, in the judgment of the great body of the people; and the sagacity and penetration of Elizabeth were so great, and possessed so nearly the character of ubiquity, that it was soon discovered that nothing could be done while she remained

alive. And, as the difficulty thus presented itself, the means of overcoming it appeared.

The Bull of Pius V. against Elizabeth had excited very great commotion of feeling in the Catholic Church throughout the world, and more especially amongst those members of it who were subjects of the Queen against whom it was peculiarly directed. It had, however, been explained to these that the papal edict, although continually in force with regard to Elizabeth, and her successors, did not call upon them to enter at once into open rebellion, and to refuse all allegiance to the excommunicated sovereign when there seemed no promise of success in such a step; but might be allowed to be dormant until called into activity by the dictum of the Pontiff; and, thus relieved from the immediate necessity of acting upon its contents, the feeling with regard to the bull had greatly subsided in England; but on the Continent, and more especially in the seminary of Rheims, it was looked up to with the highest reverence, and was even believed by some to have been especially dictated by the Holy Ghost. Under these circumstances, we need hardly wonder that Dr. Gifford, and two priests, Gilbert Gifford, and Hodgeson, in that seminary, succeeded in prevailing upon John Savage—a man who combined great nobleness and self-devotion to that which he considered to be the truth, with much

bigotry and superstition—to undertake the assassination of the English Queen. There were many in the age that is past, and there are, perhaps, some in the present day, though I need not say that I am not among the number, who would aver that the spirit of the religion which they professed had some influence in creating the sanguinary schemes of these Romish priests; but it should be remembered that the age in which these men lived was one of strong and vigorous feeling; men were deeply and solemnly in earnest in all that they felt and undertook; and it appears to me by no means difficult to perceive, in this tendency to adopt the expedient of assassination, only an abuse of this manly and vigorous tone of feeling—the zeal which characterized the times allowed to riot too wildly, unrestrained by the dictates of morality and religion. But, whatever may have been the influences which gave birth to his resolution, Savage went to London, and was there awaiting an opportunity for the execution of his scheme, at the moment when the difficulty which I have noted first presented itself to the minds of the conspirators. His services were at once engaged; but Babington, somewhat timid, and wanting confidence in the power of a single arm, insisted on associating five other gentlemen with him; and in addition to this several others, among whom was Pooly, a spy of Walsing-

ham's, were admitted to a participation in their schemes. And Babington, with the imprudence which often besets men in his position, caused a portrait to be painted of himself, surrounded by the six associates; beneath which he inscribed, "Hi mihi sunt comites quos ipsa pericula ducunt." This motto was afterwards erased, substituting for it, "Quorsum hæc alia properantibus?" but the picture was shown by Pooly to Elizabeth, and she was thus enabled to be upon her guard, by a knowledge of the persons of the intended assassins. And, in order to render the evidence in the possession of the English Council perfect, Gilbert Gifford, who had been sent over from France to remind Savage of his vow, was gained over by the bribes of Walsingham, and made a full disclosure of all the particulars with which he was acquainted.

Hitherto no communication of the designs of the conspirators had been made to the Queen of Scots. Babington was already known to her as an ardent and zealous friend of her cause; but he had not yet mentioned his plans to her, and Ballard had been especially cautioned by Morgan, one of the most acute of her partizans, to hold no communion with her while he was engaged in his present enterprise.[3] And it is a very curious and instructive fact, and

(3) Murdin, 527.

may, perhaps, induce some speculative minds to wander yet further in their conjectures, that, just as the schemes of Ballard had been encouraged, if not partly aided, by Maud,—the emissary and spy of Walsingham—so the first correspondence with Mary with regard to the plot was set on foot by the same minister of Elizabeth, since he sent down Gifford, who, though a traitor, and in his employ, was yet trusted by all the conspirators, with instructions to commence such a communication. In order to obtain greater facility for the prosecution of the scheme, he sent with him a letter to Sir Amias Paulet, the keeper of Mary, endeavouring to obtain his permission to bribe one of his servants to act as the medium of correspondence; but as the old knight, with a rough honesty which seems to have belonged to him, and which he so nobly manifested at a later period, declined acceding to an arrangement which introduced so dangerous a precedent into his family, the letters were usually deposited in a hole in the wall in the castle of Chartley, in which Mary was then confined. A writer, whose opinion is well worthy of respectful consideration, —the continuator of Sir James Mackintosh's History of England (Mr. Wallis),—has endeavoured to throw discredit on this statement,—and avers that it is beyond the reach of credit;[4] but, apart from the

(4) Mackintosh's History of England, III. 316.

fact that the position which he, in common with Dr. Stuart,[5] assumes, that Mary never received the letters, is liable to almost insurmountable objections; it must, I am confident, appear evident to any one that the circumstances in which Mary was placed render such an arrangement neither incredible nor extraordinary. Each letter, however, was subjected to a somewhat circuitous process, which materially diminished the chance of its reaching the person for whom it was intended in the state in which it left the writer; for so soon as any communication reached the hands of the treacherous Gifford, it was sent by him to Walsingham, opened, transcribed, deciphered, and the original, or, as Dr. Lingard well suggests, "occasionally, perhaps, a falsified copy,"[6] was forwarded to the party for whom it was designed. This arrangement should be borne well in mind, since it may throw much light upon our future investigations.

But Babington seems to have entertained some doubts as to the propriety of his plans, and their adaptation to meet the ends which he had in view, and determined, or was advised, to consult Mary on the subject; and he accordingly penned a long and most extraordinary letter, in which he detailed, without any reserve or secrecy, the whole designs of the conspirators,—mentioned the scheme against

(5) Stuart, II. 251. (6) Lingard, VIII. 205.

the life of Elizabeth, and, revealed in fact, the entire plot, with a want of caution which appears very nearly allied to madness. While he was employed in transcribing this, an unknown boy put into his hands a letter in cipher, purporting to be from the Queen of Scots, in which she chid him for having recently suspended his correspondence, and, in reply to this, he forwarded his letter, which came, as usual, into the hands of Walsingham. He showed it to the Queen, and she, without manifesting that courage which we have been accustomed to attribute to her, was so affrighted at the prospect of personal danger, that she almost insisted on the immediate apprehension of all who were concerned in the undertaking; but, when it was shown to her that nothing had yet been gained which would advance the great object of Mary's murder, the spirit of malignity stilled the promptings of cowardice in her bosom, and she consented to allow the matter to proceed, until it had attained a condition of more complete maturity. Babington had promised to be in Lichfield on the 12th of July, to receive the answer to his letter; and, as not a moment was to be lost, Phillips, the decipherer, and Gregory, whose honourable office it was to forge seals for the English Council, were despatched to Chartley, in order that the delay

attendant upon sending the letters to London might be avoided. The day after the delivery of the letter, Nau, the secretary of the Queen of Scots, addressed a note to Babington, promising a speedy answer, and, on the 17th of July, this answer was placed in the care of the messenger, and came into the hands of Phillips, who immediately proceeded with it to London. The delay of the answer beyond the day appointed by Babington, proved of no material moment, since he failed to keep the engagement which he had made, and fortune thus seemed to smile from every quarter upon the noble efforts of these wily men, who, after eighteen long years of repeated and unsuccessful scheming, had at length succeeded, with the aid of their hired spies and forgers, in entrapping a feeble and helpless woman in their toils. Honourable and glorious work for English statesmen!

No sooner was the grand end thus attained, than the attention of the government was turned to the conspirators, and means were taken to prevent the execution of their schemes. Ballard was first taken, and, when the rest had been lulled into temporary security by the assurance that his religious principles had been the reason of his capture, their own imprisonment quickly followed. Their fate, of course, was sealed—not a chance of escape presented itself; and they were all con-

demned to die. But the woman—oh! that such a monster should bear that sacred name!—against whom they had conspired, wishing to gratify the brutal malignity of her fury upon those who had dared to pity her hated rival, desired that their deaths might, if possible, be made more excruciating than the ordinary punishment of treason; and when this was declared to be illegal, she could only be mollified by the promise, that their deaths should be "protracted to the extremitie of payne" in the sight of all the people.[7] On the first day this barbarous command was fulfilled, and the victims were disembowelled and quartered before life or sensation was extinct; but the good feeling of the people so far revolted against this wanton cruelty, that the remainder of the prisoners were allowed to die before the mutilation of their bodies was performed.[8]

But it is time that we should turn to the great victim, for whose fate these bloody scenes were but an appropriate preparation. Soon after the capture of Babington she was removed suddenly from Chartley to Tixal, her cabinets broken open, and ransacked, and her papers transported, together

(7) Howell's State Trials, I. 1127—1158. "The first 7 were hanged, cut downe . . . bowelled alive and seeing, and quartered, not without some note of cruelty."—*Camden*, III. 80. *Lingard*, VIII. 216.

(8) Camden, III. 80.

with her secretaries, Nau and Curll, to London; and then, but not till then, she was permitted to return to her old abode. At first a feeling of melancholy seems to have overcast her soul at the altered aspect of her fate. As she left the house in which she had remained at Tixal, the poor, —remembering that bounty which, until prevented by the severity of her gaoler, she had dispensed with lavish hand,—crowded round her to supplicate her aid; and then the image of her own forlorn and helpless state, seems to have been present vividly to her mind; for, bursting into tears, "Alas!" she said, "I have nothing to give you; I am a beggar as well as you; all is taken from me;" but when she reached her former prison, and saw that her cabinets had been rifled and her papers conveyed away, the proud blood of her noble race rose indignantly to her heart; and, turning to Paulet, she exclaimed, with that dignity of manner which was a true type of the character of her soul, "There still remain two things, sir, which you cannot take from me: the royal blood which gives me a right to the succession, and the attachment which binds me to the faith of my fathers."[9]

Considerable dispute had arisen in the Council of Elizabeth, with regard to the course to be adopted

(9) Mary, apud Lingard, VIII. 214.

for the trial, and the Act of Parliament under which she was to be indicted; but at length it was decided that a public trial by Commission should be held at Fotheringay Castle, and that the investigation should take place under the 27th Eliz. c. 1; that Act which has been already mentioned as pointed directly against her life. But here a difficulty presented itself, which none seemed to have anticipated, and which threatened entirely to defeat their murderous schemes. A severe and weary imprisonment of eighteen long and lonely years, though it had nearly destroyed the body, had in no wise lowered the lofty spirit of this heroic woman; and, with a proud independence, worthy of the honoured name she bore, she refused stedfastly to submit to a tribunal composed of those in every respect beneath her, and governed by laws to which she could in no degree be subject. When the letters of Elizabeth, informing her of the trial, were delivered into her hands, she pointed out, with eloquence and feeling, the cruelty of her position, and the injustice with which she had been treated. "It grieveth me," she said, "that the Queen, my most dear sister, is misinformed of me; and that I, having been for so many years strictly kept in prison, and grown lame of my limbs, have lain neglected, after I have offered so many reasonable conditions for my liberty. Though I have thoroughly forewarned her of many

dangers, yet hath no credit been given unto me; but I have been always contemned, though most nearly allied unto her in blood. When the Association was entered into, and the Act of Parliament thereupon made, I foresaw that, whatsoever danger should happen, either from foreign princes abroad, or from ill-disposed people at home, or for religion's sake, I must bear the whole blame, having many mortal enemies in the Court. Certainly I must take it hardly, and not without cause, that a confederacy hath been made with my son, without my knowledge; but such matters I omit. As for this letter, it seemeth strange to me, that the Queen should command me, as a subject, to appear personally in judgment. I am an absolute Queen, and will do nothing that may prejudice either mine own Royal Majesty, or other princes of my place and rank, or my son. My mind is not yet dejected, neither will I sink under my calamity. I refer myself to those things which I have protested before Bromley, now Chancellor, and the Lord La Mare. The Laws and Statutes of England are to me most unknown; I am destitute of Counsellors; and who shall be my Peers, I am utterly ignorant. My papers and notes are taken from me, and no man dareth step forth to be my advocate. I am clear of all crime against the Queen; I have excited no man against her; and I am not to be

charged, but by mine own word or writing, which cannot be produced against me. Yet can I not deny but I have commended myself, and my cause, to foreign princes."[10] Vain were all the menaces which her adversaries could employ; she still continued unmoved by their severest threats; but, at length, she was induced to relent, in a manner which made her concession as honourable to her fame as her unshaken firmness had been before. For Hatton, the Vice-Chamberlain, finding how futile were all efforts to drive her into submission; and perceiving, perhaps, from her character, the mode of persuasion which was most likely to influence her mind, addressed her with considerable subtlety and discretion. "You are accused," he said, "but not condemned to have conspired the destruction of our lady and Queen anointed. You say you are a Queen. Be it so. But in such a crime the royal dignity is not exempted from answering neither by the civil nor canon law, nor by the law of nations, nor of nature. For if such kind of offences might be committed without punishment, all justice would stagger, yea, fall to the ground. If you be innocent you wrong your reputation in avoiding trial. You protest yourself to be innocent; but Queen Elizabeth thinketh otherwise, and that neither without

(10) Camden, III. 84.

grief and sorrow for the same. To examine, therefore, your innocency, she hath appointed for Commissioners most honourable, prudent, and upright men, who are ready to hear you according to equity with favour, and will rejoice with all their hearts if you shall clear yourself of this crime. Believe me the Queen herself will be much affected with joy, who affirmed unto me at my coming from her, that never anything befel her more grievous than that you were charged with such a crime. Wherefore lay aside the bootless privilege of royal dignity, which now can be of no use unto you, appear in judgment and show your innocency, lest by avoiding trial you draw upon yourself suspicion, and lay upon your reputation an eternal blot and aspersion."[11] The lofty majesty of the Queen gave place to the timid sensibility of the woman, and the love of her pure and spotless fame induced her to sacrifice the privileges of her rank, and to submit to an illegal tribunal. For her temporal welfare it had been better if she had persisted in her denial, and asserted to the last the immunities of her station; but none who revere her memory can fail to rejoice, that she thus signally evinced her estimation of that unstained reputation, which was in truth her own, and to deprive her of which has been the unceasing

(11) Camden, III. 87.

desire of many in every age since the days in which she lived.

Before the actual proceedings commenced, Mary urged before the whole of the assembled nobles that complaint, which had filled so often her letters to her tyrant, but which had never before been permitted to go forth publicly to the world, and declared that she had been deceived and maltreated by one who had promised to her aid and comfort; and that she had come into that land, in which she had found a dreary prison, induced only by the promises of assistance which she had received from its Queen.[12] And, because such an imputation could be parried by no subtlety of argument; because the injustice and vile treachery of such conduct could be palliated by no legal quibble, the Lord Chancellor, forgetting, for the moment, the office which he filled as guardian of the nation's morals, and regarding not those facts, which, happily for the cause of truth, stand recorded on the page of history, refused to admit that such aid had ever been promised;[13] and thus, by a barefaced falsehood, attempted to screen his monarch's fame. And such was the fear in which men stood of the Queen who then swayed the English sceptre, so

(12) Camden, III. 88.

(13) "The Lord Chancellor not acknowledging that any aid had been promised her, answered."—*Camden*, III. 89.

subjugated were they in the inmost recesses of their hearts to her arbitrary will, and so highly did they place the enjoyment of office and of favour above the cause of truth, that no voice was raised in all that assembly against this bold denial; and even Cecil, who, when Mary first came into England, had declared of her, in a minute in his own handwriting, which still remains, that "she trusted uppon y^e^ Q. Ma^ty's^ help because she had in hir trooble receaved many messages to that effect,"[14] was content now to allow the fabrication of the Chancellor to stand as an accepted truth. Yet, how futile was this attempt—as such must ever be—to cover the odium of one crime by the commission of another, of scarcely less depth of moral dye. The Chancellor and the assenting nobles were willing to deface their honour by a lie, in order to protect their monarch's fame; but as time has opened up to us the treasures of the past, the guilt of Elizabeth still remains the same, and the men who thus strove dishonestly to shield her, became partners in her crime, and sank with her into the lowest abyss of contempt and shame. Were history applied to its real uses, how excellent a lesson might we derive from instances such as these for the ordinary transactions of our daily life!

(14) Cott. MSS. Calig. C. I. fol. 105. apud Anderson, IV. 99.

It is not my intention to dwell here upon the detail of the trial of Mary Stuart, though for the gratification of the curious reader, I have transferred to the Appendix the account of it, which is given by the learned Camden.[15] Apart from the naturally tedious character of judicial proceedings to the general reader, it must ever be a most painful spectacle to one who can boast of the feelings of a man, to see a weak and helpless woman vainly endeavouring to resist the assaults of an irresistible force, and fighting against those whose learning and subtlety gave them an overpowering predominance, for her life and, more than all, for her cherished and spotless fame. And yet, viewed in another manner, the trial of Mary (for it was such a scene as this) presents a pleasing spectacle, and one eminently encouraging to the virtuous and the pure. On the one hand, in this mighty contest, were arrayed the most learned and sagacious men that the most cultivated nation of the world could boast—lawyers, statesmen, divines and warriors—all deeply interested in the cause in which they were the impartial judges, since on their vote of that day depended the future tenor of their career, as the favoured of their monarch, or as obscure and persecuted men; and, in opposition to this choice

(15) For the satisfaction of the curious, the account of the trial of Mary, given by Camden, has been transferred to Appendix G.

and powerful band stood one poor woman, a Queen, indeed, in rank, in right, and in spirit, but worn to the brink of death by the unexampled severities of her long confinement; harassed in mind as in body, by long separation from all she held most dear on earth, and denied every assistance of legal counsel. Yet, with all these fearful odds, so inherent and irrepressible is the native strength of virtue, so true is it, as the great moralist has sung, that

> " Thrice is he armed who hath his quarrel just;
> And he but naked, tho' locked up in steel,
> Whose bosom with injustice is corrupted,"

—that throughout that long and momentous trial, the feeble woman parried, with successful energy, the most powerful blows of her well-skilled foes, and her noble and dauntless energy of spirit, and the unflinching moral courage with which purity of heart inspired her now feeble frame, have caused the records of that trial to assume an aspect which must make us blush for our nation's honour, and hide our heads disgraced, when the reflection flits across our minds that the leaders in this scene of infamy were sharers of our common blood.[16]

But the question of the guilt or innocence of Mary can be best decided by neglecting those

(16) Cecil, one of the judges, published, during the trial, a work full of invectives against Mary.—*Murdin*, 584.

circumstances of the trial, which, however interesting and affecting, should not be allowed to influence our calmer judgment, and entering into a brief, but, at the same time, careful investigation of the evidence with which the crown-lawyers supported the charge against her. The accusation as put forward by the Queen's sergeant was twofold, and included two distinct and separate imputations, charging her, in the first place, with a participation in the project of rebellion, aided by external force; and, secondly, with an approval of, and share in, the design against Elizabeth's life. And it is the more necessary to observe carefully this division, because it is with regard to the last section only, that it will be necessary that the evidence should be examined; for Mary, though she did not, in explicit terms, admit, yet did not deny, her participation in the scheme of rebellion; and even went so far as to assert that she would do as much again for the recovery of her freedom.[17] But she clearly and expressly denied the graver charge. "If I have ever planned or consented," she said, "to such schemes affecting the life of my sister, I pray God that he may never grant me mercy. I confess, indeed, that I have written to several, that I have begged them

(17) "Je ne le nye pas: et s'il estoit encore à faire, je le feray, comme j'ay faict, pour chercher ma liberté."—*Mary* apud *Egerton*, 103.

to assist in delivering me from my miserable confinement, as a captive and ill-treated princess, for nineteen years and so many months; but never did I either wish, or write, such things against the Queen. I have, indeed, written for the deliverance of several persecuted Catholics, and, could I have saved them from punishment with my own blood, I would have done, and would yet do it, and I will always do everything in my power to prevent their destruction. * * Consider, and remember, that there is not either man or woman in the world of lower rank than I am, who would not seek the aid of friends to obtain release from such a captivity as mine. You charge me with certain letters of Babington's; I do not deny it; but show me, in these letters, if you can, one single word which refers to the Queen, my sister; you will then have occasion to prosecute me.[18] I wrote to him who wrote to inform me that he would set me at liberty, that if he could do so without risking the life of both, he was to make the attempt, and that is all."[19] And I confess, it appears to me, that, under the circumstances of the case, Mary was completely justified in countenancing such a scheme of insurrection, in order to effect her own

(18) It seems clear from what follows, that, by "certain letters of Babington's," Mary means her own letters to him.

(19) Mary, apud Strickland's Letters of Mary, III. 135—7.

deliverance from the hands of the English Queen. Cast treacherously into prison, on pretence of participation in a crime planned and executed by the very men who accused her, still detained there after she had been declared innocent by a very partial judge, and all her moving and urgent remonstrances treated with contemptuous neglect, she had tried every peaceful measure which imagination could suggest, in order to obtain her freedom; and, when all these had failed, she was surely justified, by the great law of nature, in encouraging the efforts of those who designed to attempt her deliverance by force of arms. Had she, on the contrary, revealed their schemes to Elizabeth, the very men, who now cry so loudly against her, would have been the first to exclaim, and justly, against the perfidy and ingratitude of her conduct; and now, when she obeyed the simple dictates of an honourable soul, and kept them secret, while she smiled upon their heroic efforts —for to imagine that she rendered them any more material assistance, is to suppose that she did that which it was utterly impossible she should effect—her conduct is condemned with equal pertinacity and fury. Unhappy, indeed, in this respect, was her fate, at many periods of her eventful life. Placed in positions where it was impossible that she should act in any manner

without incurring the blame of some, her uniform choice of the good and noble course has been disregarded, and petty calumnies have been heaped upon her glorious name by men whose cold and calculating spirit of worldliness could not appreciate the true nobility of her soul. But Time has already begun his work; and, among the fruits of his welcome labours, we may readily perceive the dissipation of all prejudice against her on the score of the encouragement of the insurrection against Elizabeth; since even Hallam,—no friend to Mary, and a bitter foe to the great principles which characterized the house of Stuart—principles, however, which those who could not combat them on fair and equal ground have found it convenient most egregiously to misrepresent,—has confessed that no blame can justly be attributed to Mary for such conduct, when we consider the painful difficulties of her extraordinary position.[20]

Was she, then, guilty of any participation in the scheme of murder? We have seen how strongly and vehemently she denied that she was so; and it will now be our duty to examine the evidence which was put forward for her conviction.

This evidence will resolve itself, if we somewhat carefully examine it, into a single passage in a

(20) Hallam's Constitutional History, I. 215.

single letter, and three confessions or depositions, put forward in order to prove the authenticity of the document in which this passage was contained. And here it may be as well to state that I am perfectly willing to admit that Mary received the letter of Babington, containing the plan, both of insurrection and assassination, and that she answered that letter; but the points which I shall attempt to prove are,—I. That that answer, as produced on the trial, was not identical in substance with the one she penned, but was interpolated in the convicting passage: II. That the depositions of Curll and Babington do not, in the slightest degree, prove the point required to be confirmed: and III. That the evidence of Nau, so far from condemning her, tends, when taken in connexion with his other testimony, utterly to overthrow the case of her accusers. These points demonstrated, it appears that the charge must, necessarily, fall to the ground.

I. The letter on which this important cause thus entirely depended, was the last of the series between Babington and Mary; being, in fact, that answer of Mary's, dated July 17th, concerning which we have already seen that such anxiety was manifested by the English Council. The history of this letter, in its progress from the first rude draft to final completion, is curious, and serves to throw

very considerable light on the topic now under consideration. Mary herself first wrote a series of instructions; these were fashioned by Nau into a French letter, which Curll translated into English, and both of these she read and approved. It was then put into cipher by Curll, and came, through the messenger, into the hand of Phillips, with whom it remained ten days before it was forwarded to the person for whom it was designed. By this proceeding we see that four copies of the letters were created: the French minute of Mary, the French letter of Nau, the English of Curll, and the ciphered copy, which was ultimately despatched; and of these the two former came into the hands of her opponents, when they seized her cabinet at Chartley.

On the trial, however, they produced a totally different copy, purporting to be the decipherment by Phillips; and upon a single passage in this—a passage which, if genuine, was certainly sufficiently probative — they founded the accusation against Mary. The question irresistibly suggests itself to the mind, why was this clumsy proceeding adopted? why did they not produce at once either the minute in her own hand, or the French letter of Nau approved by her, both of which were in their possession, instead of presenting only a version which had not the slightest weight of authority to confirm

its asserted authenticity?—and if we are puzzled at the singularity of their first proceedings, we shall be still more amazed when we see, that on Mary's asserting " that the poynts of the lettres that concerned the Q. Ma^ts^ person wer never by hir wrytten nor of hir knolledge,"[21] they entirely overlooked the plain and obvious mode of refuting this by placing before her the minute, which, as they averred, contained them in her own handwriting, and contented themselves with a simple asseveration of the veracity of their copy. Such conduct carries with it marks of suspicion so prominent and overpowering, that it may be considered as destroying entirely the value of any piece of evidence with regard to which it was pursued; and we are perfectly justified in concluding that a knowledge of the great discrepancy between the contents of the minute and of their pretended copy, alone prevented them from adopting a course which would have carried conviction to the minds of all, and which, while it completely silenced the prisoner, would have justified their verdict in the estimation of the world.

But we are not left without some other and more direct proof than this of the non-existence of the fatal passage in the original letter of Queen Mary.

(21) Burleigh to Davison, Oct. 15, 1586. Ellis, 111—112. Hardwick Papers, I. 233.

Nau, her secretary, when confined in the Tower, and threatened by Elizabeth with the infliction of torture if he did not impeach his mistress,—that mistress whose acquittal Hatton had declared would impart such joy to the heart of the English Queen,—addressed to her a voluntary protestation, in which, "upon his salvation," he declared to her the whole truth; and in this document he averred, that which there seems every reason to believe, that the letter from Babington, containing the allusion to the assassination, was received by Mary, but that she did not notice it in her reply, because it was a project neither designed nor desired by herself; though she did not feel bound to declare it, because she thus would have betrayed the confidence of her friends, and exhibited the basest ingratitude to them for their exertions in her behalf; and the statement, so consistent with the character of the captive, is not, as we shall presently see, in any degree contradicted by the subsequent depositions of Nau. But Dr. Lingard has, with his usual sagacity, pointed out a piece of evidence of the utmost moment—internal, and therefore incontrovertible—which settles at once the disputed question, and, confirming the previous testimony of Nau, shows, beyond the possibility of a doubt, that the important passage was not in the letter as it was originally penned, but was interpolated by those

who prepared the copy which was produced upon the trial; and since he has expressed his views with a clearness and precision which I cannot hope to equal, I may, perhaps, be pardoned for transcribing his exposition. The first clause of the passage which he quotes, was the grand proof brought forward to substantiate the charge of murder.

"In the following instance the hand of the interpolator seems to me to betray itself: 'The affaires' Mary is made to say 'being thus prepared and forces in readiness without and within the realm, then shall it be time *to sett the sixe gentilmen to work* (to assassinate the Queen) takinge order upon the accomplishinge of *their desseigne* (the assassination), I may be sodaynlye transported out of this place, and that all your forces at the same time be on the field to meet me in tarryinge for the arrival of the forayne ayde which then must be hastened with all diligence.' She then directs four stout horsemen to be kept at Court, to advertise her of the accomplishment of the design (assassination), that she may escape before her keepers have time to fortify the house. This, she adds, is the best plot that she can devise, 'for sturringe on this side before you be assured of sufficient forraine forces, it weare but for nothinge to put yourselves in danger * * * and to take me forth of this place, unbeing before well assured to sett me in the midst

of a good armie, or in some very good strengthe, * * * it weare sufficient excuse given to that Queene, in catching me againe, to enclose me in some hold out of which I should never escape, if she did use me no worse.' But how could Elizabeth catch her again if Elizabeth were already put to death? It was natural enough that Mary should fear a second and more rigorous imprisonment if she were again to fall into the hands of the Queen; and should, therefore, forbid any attempt to liberate her without a sufficient force for her protection; but that she should entertain any fear of falling into the hands of Elizabeth when she had directed that the attempt to liberate her should depend on the accomplishment of the design of the six gentlemen (that is, on the previous murder of Elizabeth), it is impossible to conceive. The reason which she assigns for her previous direction is to me a proof that no mention of assassination had been introduced by her into that direction."[22]

The evidence thus advanced seems so clear and decisive, that taken alone it would be sufficient to produce conviction; but when connected with the assertion of Nau and the conduct of the prosecutors, the matter assumes the most distinctive form. But one word need be said with regard to an

(22) Lingard, VIII. 437—8.

objection which has been raised by some, and which, however futile, may influence the minds of others. This interpolation must have been made by some person in the employ of Sir Francis Walsingham, and it has been urged that a man whose character stood so high for probity and honour, would never condescend to make use of means so unworthy of an honourable statesman ;[23] but, apart from the consideration that positive and demonstrated facts are not to be set aside by supposititious reasoning so loose as this, it may be observed that, since we have already seen the same minister encouraging and fomenting plots through the medium of his spies, in order that they might reach that maturity which was essential to the success of his designs, and since there remains the positive testimony of an author of that age, of a veracity perfectly unimpeachable, that he on one occasion forged a postscript to a letter from Mary to Babington, which passed through his hands, in order to obtain some information which he desired,[24] we shall, I think, have very little difficulty in supposing him to have been guilty of conduct but little worse

(23) Hume, V. 307.

(24) "Thus were intercepted those former letters of the Queene of Scottes to Babington, and his letter in answere to her; and another letter to him, wherein was cunningly added a postscript in the same characters, that he should set down the names of the six gentlemen, if not other matters also."—*Camden*, III. 77.

than this in its perfidy and meanness. But, as I have already ventured to suggest, facts cannot be subverted by hypotheses, and, if the truth of history is opposed to the elevated notions of Walsingham's character which have been formed by some, we may regret the necessity for condemning him, but we cannot suffer our judgment to be warped by the ardent panegyrics of his warm admirers.

II. But I shall, perhaps, be told, that however strong the presumptions may be which are drawn from the circumstances just detailed, they can have no weight in our investigation when opposed to the positive depositions of Babington and Curll with regard to the letter under consideration; but a very slight glance at these will be sufficient to convince us that they are very far from proving that which they were advanced to confirm.

It must be remembered, that the letter of July 17th is the one with which we are here concerned, and that the point which requires to be proved is, that the copy of that letter which was produced at Fotheringay, was identical in its contents with the original as written by Queen Mary. What, then, say these witnesses? Babington declared that he had written a letter to Mary, and received an answer from her, and that he believed the copy of the letter shown to him to be a faithful transcript of the original, and Curll affirmed that "the ltre

directed by the Sc Q to Babn had among ors. theis points in it. The first yt Babn shold deeply examine what forces on foot and horseb: and so reciteth the chiefe points of her letter in ye verie same words as you have already read them heretofore, and concludeth 'all theis things above rehearsed I doe well remember and confesse them to be true.'"[25] And the substance of all this simply is, that Babington and Curll were both shown copies of the Queen's letter to the former, which copies they agreed in declaring to be correct. But the grand point of all—the point upon which so much suspicion is cast by the conduct of the prosecution in the suppression of the original minute,—the identity of the copy produced at Fotheringay with that seen by these two witnesses, and asserted by them to be correct, is left entirely untouched, and is in no degree proved by either of these important depositions. Had the case against Mary been really true, nothing would have been easier than to have proved this important and really vital point, by bringing Curll himself before the court, and causing him there to testify that the copy produced contained nothing more than that which he himself had ciphered; but, since they saw fit, doubtless for sufficient reasons, to avoid this

(25) Apud Lingard, VIII. 221, note.

simple course, the accusers must be content to sustain the odium which must necessarily devolve upon them from adopting every means in their power to pervert the cause of impartial justice, and to hide or distort the actual truth.

III. But the triumph of Mary is not complete until we have taken one of the witnesses from the hands of her accusers, and shown, as with ease we may, that his testimony really tends to her entire vindication; and this witness will be her secretary Nau. The record of his deposition corresponds almost exactly with that of Curll; and in both may be noticed the peculiarity—which the reader may have already observed in the latter—that, in the enumeration of the points in Mary's letter, there is not the slightest mention of the passage which refers to the project of assassination; and the suspicion which this singular omission must create, is greatly strengthened by some other facts which have happily been transmitted to us. When James came to the throne, Nau was anxious to vindicate himself from the imputation of having, by his evidence, caused the death of the Scottish Queen; and he accordingly addressed a long explanatory paper to his sovereign, in which he stated the circumstances connected with his examination; and appealed to the memories of all the nobles who had been present

at the scene he mentioned, for the veracity of his narration. In that document he asserts—and there is no reason to doubt his statement—that when he was summoned publicly before the Council, at Westminster, in order to confirm the points of his deposition, he maintained, *as he had ever done*, " de faulx les principaux chefs de l'accusation mise en avant contre sa Matie, et sur lesquels seuls on pouvoit prendre couleur ou pretexte de la condamner,"[26] and averred that the accusation was "faulse, calomnieuse, et supposée;" and when Walsingham, rising with considerable excitement, endeavoured to silence him by producing the testimonies of the executed conspirators, he still remained stedfast to his declaration; and "summoned the Commissioners to answer before God, and all Christian kings and princes, if, on such false charges, they should condemn a Queen no less a sovereign than their own."[27] When we see this declaration made publicly in the face of the assembled Council, and so consistent with his former assertion to Elizabeth; and when, at the same time, it is utterly impossible to discover, in his deposition, any allusion to the murderous passage on which the whole question rests, and the omission of all mention of which is a strong argument of its non-existence; surely, it is

(26) Cott. MSS. Calig. B. V. fol. 233.
(27) Lingard, VIII. 229.

something more than disingenuous to put forward the testimony of Nau, as of weight in the scale of argument against Mary.

Such, then, was the evidence against the Queen of Scots; such the slight tissue of fallacious proofs, the like of which would fail to convict the meanest criminal of the slightest offence, before a fair tribunal; but which, before a body of men, who had already judged against her, and who knew that their future favour depended on her death, could be easily made to lead to a unanimous conviction.

The Commissioners, after a three days' trial, adjourned to London; and there sentence was pronounced against her life. The great and bloody game was played; the goal, to which years of silent misery had been made to pave the way, was reached at last; and the pure blood of the helpless victim was now ready to be poured out upon the altar of martyrdom, at the bidding of her who had caused all the sorrows and misfortunes of her life.

CHAPTER VI.

APPARENT MERCY OF ELIZABETH — REAL MOTIVES OF HER HESITATION—SIGNATURE OF THE WARRANT—HEARTLESS LEVITY OF THE QUEEN — PROPOSAL BY ELIZABETH TO DAVISON FOR THE ASSASSINATION OF MARY — LETTER OF WALSINGHAM AND DAVISON TO SIR AMIAS PAULET—NOBLE REPLY OF PAULET—RAGE OF ELIZABETH — DECISION OF THE COUNCIL TO ACT UPON THE SENTENCE—DEMEANOUR OF MARY—LAST LETTER OF THE SCOTTISH QUEEN TO ELIZABETH — INSULTS TOWARDS HER—ARRIVAL OF THE COMMISSIONERS AT FOTHERINGAY CASTLE — THEIR RECEPTION BY MARY — OCCUPATIONS OF HER LAST NIGHT — PARTING WITH HER SERVANTS — REFUSAL OF PERMISSION FOR HER MINISTER TO ATTEND HER—INSULTS OFFERED TO HER IN HER LAST MOMENTS—HER DEATH—REVIEW OF THE CHARACTER OF MARY STUART.

THE grand object of all her schemes being at length attained, and the life of her rival within her grasp, it might be expected that Elizabeth would lose not a moment in enacting the last scene of the bloody tragedy; and sacrificing at once, the victim of her unceasing and cruel persecutions. Yet, on the instant, a change seems to have come over her spirit; and mildness and compassion appear to have assumed the place of malignity and revenge. She, who had before been so eager to collect all the

evidence that could inculpate her sister Queen; she, who had consented to expose her own life to peril, by allowing Babington to roam at large, in order that the evidence against Mary might be made complete; she, in short, who had, in every previous action of her life, shown herself her bitterest and deadliest foe, seemed now overpowered with sentiments of mercy, and evaded, with all the subtleties of language which her crafty mind could devise, the petitions which came to her from every quarter, praying (and some of them supported the prayer on *religious* grounds) for the instant execution of the sentence upon the person of the Scottish Queen. The ravening tiger was at once transformed into the timid and harmless lamb.

But was it mercy that suggested this delay? The student can know but little of the true character of that Queen of whom we speak, who imagines that a sentiment so divine could find a place in her polluted heart; and he must be ignorant or prejudiced indeed, who concludes that this was her incentive to the procrastination of Mary's death. Another, and a far different, motive impelled her conduct. The mind, which a sense of justice could not move from its selfish purpose, could be swayed by the fear of shame; and the dread of the contempt and hatred of the world could influence it more than the fear of violating

the most sacred laws of God and man. Conscious that her conduct towards her helpless captive had been already such as to draw down upon her the indignation of the right-thinking and unprejudiced of the world, she could not but feel how deeply odious her name would be, should she add murder to the dark catalogue of her crimes against that noble woman; and she hesitated, ere she blasted her fame for ever, by a deed so infamous and so cruel. But, did she propose to avoid it by retracing the errors of the past, and endeavouring to obliterate the memory of bygone wrongs by a future course of justice and of mercy? No; it was not the wrong to Mary, but the infamy to herself, that she desired to escape, and, while she shrunk from ordering the public execution of her captive, she did not blush to aim at her private murder.

After some weeks of inaction, Elizabeth seems to have at last pleased herself with regard to the form to be adopted in the warrant of execution. In the first instance, a precept had been directed to certain members of the association,[1] then a warrant to the Sheriff of Northampton was substituted for it,[2] and lastly, a commission, addressed to the Earl of Shrewsbury, as Earl Marshal, with the Earls

(1) Murdin, 574. (2) Ibid. 576.

of Kent, Derby, Cumberland and Pembroke, was prepared, which seemed to give her satisfaction; though even this was allowed to lie for six weeks unnoticed, in the hands of the Secretary, Davison. At length, however, when the ambassadors who had been sent from France and Scotland to mediate for Mary, had departed, she affixed her signature to it, with such heartless levity of spirit, that, when she had thus decreed the death of her defenceless prisoner, she said to Davison, "Go, show this to Walsingham; for I fear that grief at it will make him die outright." A striking commentary on the character both of the minister and of his monarch. But, when the warrant had been signed, and delivered to the secretary for the purpose of being authenticated by the seal, the Queen fell into conversation with him on the subject, and explained to him the motives which had influenced her conduct, and the wishes which still existed in her heart. She assured him that never, at any time, had she been so ill advised as not to see her own danger, and to perceive, very clearly, the necessity for the execution; but a regard for her reputation, and a desire to prevent the world from supposing that malice had incited her conduct, had alone caused her long delay. She expressed a strong desire that the execution should be as private as possible—objected to the Castle green

as an unfitting spot, and pointed to the hall, as a more suitable locality; and, gradually advancing from these distant insinuations to a more distinct avowal of the thoughts which were agitating her mind, she complained of Sir Amias Paulet and others, that they might have eased her of the burthen; and required that a letter should be written to him and to Sir Drue Drury—the other keeper of Mary—signifying the wishes of their Queen, and requiring that they should comply with her desire, and ease her of the burthen that devolved upon her. And Davison, though he had, as he himself declares, always before refused to meddle in such matters, *which her Majesty had before propounded to him*, as a thing which he utterly condemned, yet, in this instance, promised a compliance with her request.

She had already endeavoured to pave the way for this infamous proposal in the mind of Paulet, by one of the most fulsome specimens of caressing panegyric which ever flowed from human pen. "Amias, my most faithful and careful servant, God reward thee treblefold for thy most troublesome charge so well discharged. If you knew, my Amias, how kindly, besides most dutifully, my grateful heart accepts and prizes your spotless endeavours and faultless actions, your wise orders and safe regard, performed in so dangerous and

crafty a charge, it would ease your travails and rejoice your heart; in which I charge you place this most just thought, that I cannot balance in any weight of my judgment, the value I prize you at; and suppose no treasure to countervail such a faith. If I reward not such deserts, let me lack when I have most need of you; if I acknowledge not such merit with a reward *non omnibus datum.*"[3] How strongly does this remind us of that splendid picture of the tempter's art, which was, perhaps, suggested to the imagination of our great poet, by the very transaction which we notice:

> "Come hither, Hubert. Oh! my gentle Hubert,
> We owe thee much; within this wall of flesh
> There is a soul counts thee her creditor,
> And with advantage means to pay thy love:
> And, my good friend, thy voluntary oath[4]
> Lives in this bosom, dearly cherished.
> By heaven, Hubert! I am almost ashamed
> To say what good respect I have of thee."

And when it was conceived that this fulsome address had worked sufficiently upon the heart of Paulet, and had made him ready even to sacrifice his honour to a mistress who valued his services so well, the secretaries followed in her train, with an explicit avowal of her base design. "We find,"

(3) Harl. MSS. 4649. Strype, III. 361.

(4) The coincidence is singularly maintained here. Paulet had signed the voluntary oath of association.

they said, "by speech lately uttered by her Majesty, that she doth note in you both a lack of that Care and Zeal for her service that she looketh for at your hands, in that you have not in all this time (of yourselves without other provocation) found out some way to shorten that Queen, considering the great peril she is hourly subject to, so long as the said Queen shall live. Wherein, besides a kind of lack of love towards her, she noteth greatly that you have not that care of your own particular safeties, or rather of the preservation of Religion, and the publick Good and prosperity of your Country, that Reason and Policy commandeth; especially having so good a warrant and ground for the satisfaction of your consciences towards God,[5] and the Discharge of your Credit and Reputation towards the world, as the oath of the Association which you both have so solemnly taken and vowed. Especially the matter wherewith she standeth charged being so clearly and manifestly proved against her. And therefore she taketh it most unkindly that men professing that Love towards her that you do, should, in a kind of sort for lack of the discharge of your duty, cast

(5) The ideas of religion which filled the minds of the writers of this, were evidently unique and curious. According to their code, a man is justified before God for committing a murder, because he has sworn to do it.

the burthen upon her; knowing, as you do, her indisposition to shed blood; especially of one of that Sex and Quality, and so near to her in blood as the said Queen is. These respects we find do greatly trouble her Majesty, who we assure you hath sundry times protested, that if the regard of the danger of her good subjects did not more move her than her own peril, she would never be drawn to assent to the shedding of her blood. We thought it very meet to acquaint you with these speeches lately passed from her Majesty, referring the same to your good judgment. And so we commit you to the protection of the Almighty." And this letter, concluding thus, by confiding its recipient to the care of that God whose great law it was its object to induce him to violate, was signed by that statesman whose probity and honour have been praised by so many of our historians, for beneath it stands the name of Francis Walsingham.[6]

But Elizabeth's unquiet mind was not even satisfied with the promise of her secretary, that Sir Amias should be informed of his monarch's wishes. The next morning, Davison received an urgent summons from the Court, and was severely

(6) Hearne's Robert of Glo'ster, 673. Howell's State Trials, I. 1241. Mr. Turner, the only warm admirer of Elizabeth (to our credit be it spoken,) among the historians of this age, has placed this very awkward letter in the middle of a very long note, in very small type, IV. 466. Is this historical candour?

reprimanded by the Queen for the haste with which he had procured the affixment of the seal; she herself still harping upon her desire to have the matter executed some other way, and utterly disregarding her secretary's remark, that if she wished to do it at all, the most honourable and just was the best and safest way; and when, a few days afterwards, her relation of an idle dream had somewhat alarmed him, and he inquired whether she intended to proceed to execution, "her answer," says Davison, "confirmed with a solemn oath, in some vehemency, was 'Yes;' but she thought it might receive a better form; 'because,' saith she, 'this casteth the whole burthen upon myself;'" and when he again urged, that she could not, with honour and safety, adopt any other course than that which was dictated by law and justice, she left his presence with disdain.

In the meantime, the letter of the Secretaries had reached the hands of Paulet; but the effect which it produced showed that Elizabeth had greatly miscalculated the constitution of her servant's mind. He was a Protestant bigot—such things do sometimes exist—and as such, hated Mary with all his heart, and often availed himself of opportunities of treating her with contumely and insult; but his heart had still some English traits, and he rejected, without the hesitation of a moment,

the infamous proposal, even though it proceeded from his Queen. "Your letters," he says in his reply, "of yesterday coming to my hands this present day at five in the afternoon, I would not fail, according to your directions, to return my answer with all possible speed, which I shall deliver unto you with great grief and bitterness of mind, in that I am so unhappy to have liven to see this unhappy day, in which I am required by direction from my most gracious Sovereign to do an act which God and the law forbiddeth. My goods, livings, and life are at her Majesty's disposition, and I am ready to lose them this next morrow if it shall so please her, acknowledging that I hold them as of her mere and most gracious favour, and do not desire to enjoy them but with her Highness' good liking. But God forbid that I should make so foul a shipwreck of my conscience, or leave so great a blot to my poor posterity, to shed blood without Law or Warrant, trusting that her Majesty, of her accustomed clemency, and the rather by your good mediation, will take this my dutiful answer in good part, as proceeding from one who will never be inferior to any Christian subject living, in duty, honour, love, and obedience towards his Sovereign."[7] Nothing could exceed the fury of Eliza-

(7) Hearne's Robert of Glo'ster, 676.

beth when she received this cutting rebuke, which her servant had dared to address to those who acted by her command. Her "beloved and faithful Paulet" was a "precise and dainty fellow,"—he had perjured himself by a non-observance of the oath of Association,—he was ready to serve her in words, but failed by his deeds to show devotion to her service; in short, nothing was too bad to be attributed to him, no character too vile to be likened to his own. But the matter had already passed into other hands. The Council had been assembled by Cecil to deliberate upon the matter; and as Elizabeth had signed the warrant, and had never formally recalled it, they decided that they would act at once upon it and trouble her no further in the affair; and, if we may credit Cecil, their decision was, doubtless, greatly influenced, if not entirely caused, by the statement of Leicester, who communicated it as the desire of the Queen that they should proceed at once, but conceal the particulars from her.[8] A short note was addressed by the members of the Council to the Commissioners, — and furnished with this and with the warrant, Beale, the clerk of the Council, was despatched to Fotheringay Castle.

When the judgment of the court was commu-

(8) Cecil, apud Strype, III. Appendix, 142.

nicated to Mary, she exhibited no fear or agitation at the approaching termination of her life. The world had been to her a scene of too much care and woe to cause her to regret to lose it, and the pure and upright confidence of a virtuous heart made her look forward with a holy joy to that eternity of peaceful bliss, which the rectitude of her life had so fully and so nobly earned. She declared, indeed, that she had been unjustly judged,—the cause of truth, and her own honour demanded that this should be repeatedly averred,—but no complaint of the hardship of her sentence was ever heard to pass her lips, no petition for mercy humbled her at the feet of the tyrant, who would have felt the most intense delight in scorning and refusing such a prayer. Yet, although she did not sue for pardon, she did not remain totally silent under her fate; but addressed to Elizabeth a letter, in which the noble dignity of a queen is mingled with the patient resignation of a christian martyr, and which must ever remain an imperishable monument of the exquisite purity of her soul. "Having," she said, "with difficulty, obtained leave from those to whom you have committed me, to open to you all I have on my heart, as much for exonerating myself from any ill-will, or desire of committing cruelty, or any act of enmity against those with whom I am connected in blood, as also kindly to communicate

to you what I thought would serve you, as much for your weal and preservation, as for the maintenance of the peace and repose of this isle, which can only be injured if you reject my advice; you will credit or disbelieve my discourse as it seems best to you. I am resolved to strengthen myself in Christ Jesus alone, who, to those invoking him with a true heart, never fails in his justice and consolations, especially to those who are bereft of all human aid: such are under his holy protection; to him be the glory! He has equalled my expectations, having given me heart and strength *in spe contra spem*, to endure the unjust calumnies, accusations, and condemnations (of those who have no jurisdiction over me) with a constant resolution to suffer death for upholding the obedience and authority of the apostolical Roman Catholic Church. * * * I will accuse no one; may I pardon, with a sincere heart, every one, even as I desire every one may grant forgiveness to me, God the first. But I know that you, more than any one, ought to feel at heart the honour or dishonour of your own blood, and that too a Queen and the daughter of a King. Then, madam, for the sake of that Jesus to whose name all powers bow, I require you to ordain that when my enemies have slaked their black thirst for my innocent blood, you will permit my poor desolated servants altogether to carry away my corpse,

to bury it in holy ground, with the other Queens of France, my predecessors, especially near the late Queen, my mother; having this in recollection, that in Scotland the bodies of the Kings, my predecessors, have been outraged, and the churches profaned and abolished; and that, as I shall suffer in this country, I shall not be given place near the Kings, your predecessors, who are mine as well as yours; for according to our religion we think much of being interred in holy earth. As they tell me you will in nothing force my conscience nor my religion, and have even conceded me a priest,[9] refuse me not this my last request, that you will permit free sepulchre to this body when the soul is separated, which, when united, could never obtain liberty to live in repose, such as you would procure for yourself—against which repose, before God I speak, I never aimed a blow; but God will let you see the truth of all after my death * * * To conclude, I pray God, the just judge, of his mercy, that he will enlighten you with his Holy Spirit, and that he will give me his grace to die in the perfect charity I am disposed to do, and to pardon all those who have caused or who have cooperated in my death. Such will be my last prayer to my end, which, I esteem myself happy, will precede the persecution

(9) In this she was mistaken.

which I foresee menaces this isle, where God is no longer seriously feared and revered; but vanity and worldly policy rule and govern all; yet will I accuse no one, nor give way to presumption—yet, while abandoning this world, and preparing myself for a better, I must remind you that one day you will have to answer for your charge, and for all those whom you doom, and that I desire that my blood and my country may be remembered in that time. For why? From the first days of our capacity to comprehend our duties, we ought to bend our minds to make the things of this world yield to those of eternity!" Not a word was returned in answer to this noble letter, for the craft and cunning even of an Elizabeth were insufficient to turn aside its cutting strokes.

In the meantime, every insult which the ingenuity of her gaoler could devise was heaped upon her. She was informed that in the eye of the law she was already dead, and was, consequently, entitled neither to courtesy nor respect; her regal canopy was torn down,—and Paulet, with all the heartlessness of bigotry, delighted to sit covered in her presence, in order to impress upon her the degraded character of her situation; and when she consoled herself amid these afflictions with the bright solace of hopeful trust in a Redeemer's love, she was taunted with the remark, that, dying, as

she would, a convicted murderer, she could not aspire to the renown of a martyr. With calm and quiet dignity she rebuked those who thus reviled her. She declared that they wronged her in imputing to her a design upon the life of their Queen; that for her own part she would desire to prevent the least injury from being offered to her person; but, although she disavowed the arrogance which would aim at the glory of a martyr, she assured them that the power of her tyrant ceased with the destruction of her body, and that the soul would fly at once to the bosom of that God who alone could decree its fate, and with whom the unmerited sufferings of her life would atone in some measure for the errors which, with mortal fallibility, she had committed during her pilgrimage on earth.[10]

Even the fatal day which witnessed the arrival of Beale at Fotheringay Castle, found her still undismayed by the approach of death. When the Clerk of the Council, with the Earl of Shrewsbury, and the rest, reached the Castle, Mary had already commenced the preparations for retiring to rest; but, hearing that they desired to see her, she dressed, and seating herself by a small table, surrounded by her domestics, who all regarded her

(10) Jebb's Life of Mary, 328.

with devoted love, she received them with dignified self-possession. Beale was the first to speak. "I could have well wished, Madam," said he, "that some other than I had to announce such evil tidings as those I have now to tell you, on the part of the Queen of England; but, being her faithful servant, I can do nothing less than obey the commandment that she has given me; which is, madam, to admonish you, as I now do, to dispose and hold yourself ready to-morrow, at the tenth hour of morning, to suffer the execution of the sentence of death, which has been pronounced on you a little time ago."[11] But the blow fell without effect. Her cheek unblanched by the fear of a violent death, her noble heart unaffrighted at the near approach of that which is to the vicious the greatest calamity, but to the good the highest happiness of their life, she heard, with firmness and composure, the tidings which he had communicated to her. "I praise and thank my God," she said, "that it pleases him to put an end by this to the many miseries and calamities that they have compelled me to endure; for, since nineteen years, up to the present moment, I have been constituted a prisoner, and very evilly entreated by the Queen of England, my sister, without

(11) Egerton, 190. Strickland's Letters of Mary, III. 233.

having ever injured her, as God is my principal witness; but I go to render up my spirit into his hands, innocent, and with a pure heart and conscience clear before his Divine Majesty of the crimes of which she has caused me to be accused; and I shall now carry this same innocence boldly before his face, who is the sole judge of my past actions. And, seeing that I must die a death so violent, brought about by the means of one so unjust, and by the iniquitous judgment of men to whom I could never be accountable, I will make myself known openly, when I present myself there, which will be far better for me than to live on in the same calamity, and that martyrdom, in which they have made me languish so long. Not having the least hope from the evil nature of the Queen—her mortal hatred and constant cruelty to me; and now, to please her councillors, and others my ancient foes, she wills to make herself subservient to them, for the accomplishment of my ruin and my death; which I shall be seen patiently to endure, that I may be delivered from their continual persecutions, in order to reign perpetually—if it may please God—in a more happy resting-place than I have had the better part of my days, near so obdurate and cruel a relation; but, since she is resolved on such rigour, the will of God be done!" [12] Her servants, when they heard the

(12) Egerton, 190. Strickland's Letters of Mary, III. 233.

tidings of her approaching fate, rent the air with their shrieks and lamentations; but she calmly rebuked them for the violence of their grief, and reminded them that it was their duty rather to rejoice at the approaching termination of their Mistress's woes, than to lament her deliverance from a life of sorrows. The Earl of Kent—one of the most bigoted of men, even in that fanatical age—made many and vain attempts to change her religious faith, seeming to conceive that the belief to which she had adhered so earnestly throughout her life, and which had cheered her bitterest moments, could be cast aside at its close, and rejected by a mere effort of her will; but Mary replied to him, that her firmness was the result, not of obstinacy, but of conviction; and that she had listened with attention to the strongest arguments which the Reformers could advance, and had viewed with fairness and impartiality the character of their doctrines; but that no reason had yet met her ear which could induce her to abandon the religion of her fathers. She enquired if her son had mediated for her; and desired to know whether any of the foreign powers had interceded in her behalf; and when, in answer to repeated questions, she learnt that Nau was still alive, "What!" she exclaimed, "is my life to be taken, and Nau's life spared? I protest before God, that Nau is the author of my

death. He has brought me to the scaffold to save his own life;—I die in the place of Nau."[13] But the captive was deceived; Nau had been faithful to his Queen; and the chicanery of the English Council alone caused his depositions to accelerate her fate. Before they parted for the night, Mary made one last request for a boon extended to the meanest criminals in the hour of death, and besought the men who had been declaiming against her bigoted superstition, that she might be permitted to receive the consolations of a minister of her own church; but the champions of religious freedom denied her prayer as violating the laws of God, and of the land, and endangering the souls of those who might concede it. And, not content with venting his fanaticism in this refusal, the Earl of Kent exclaimed, with all the glee of triumphant persecution, "Your life will be the death of our religion, as contrariwise your death will be the life thereof!"[14]

Beautifully, indeed, does the tolerant spirit of Mary—as described by her own son—contrast with this wild ebullition of frantic bigotry. "And for the Queen, my mother, of worthy memory, although

(13) "Quoy, je mourray, et Nau ne mourra pas! Je proteste que Nau est cause de ma mort. Nau me faut mourir pour se sauver. Je meurs pour Nau."—*Jebb*, II. 621.

(14) Camden, III. 110.

she continued in the religion in which she was nourished, yet was she far from being superstitious or jesuited therein. And for proof that that renowned Queen, my mother, was not superstitious, in all her letters (whereof I received many), she never made mention of her religion, nor laboured to persuade me in it; so with her last breath she commanded her master of her household—a Scottish gentleman, and my servant, yet alive (Sir Andrew Melvil)—she commanded him, I say, to tell me, that although she was of another religion than that wherein I was brought up, yet she would not press me to change, unless my own conscience forced me to it; for, so that I led a good life, were careful to do justice and govern well, she doubted not but I would be in a good case (even) with the profession of mine own religion."[15]

Being left alone with her domestics, she began to prepare for death. Hastening the period of the evening meal, in order that she might have more time for the arrangement of her affairs, she ate but sparingly, and employed herself in administering consolation to those whose love for her evinced itself in the bitterest lamentations over her approaching fate. Before her slight repast was over, she called her servants around her, and drank to

(15) James I.—Premonition to all Christian Monarchs, 294.

them all; and when they, returning the pledge upon their knees, besought her to pardon their past offences, she extended to them free forgiveness, entreated them, in like manner, to excuse her many faults, and concluded with a few words of advice for their future conduct. Her domestic affairs then first occupied her attention. She addressed letters to the Duke of Guise, and the King of France, averring her innocence of the crime imputed to her, and conveying to them the last expressions of her warm affection; she wrote also to her almoner, imploring his prayers for her, though prevented from extending to her the last offices of her religion;[16] and these duties, with the construction of her will, occupied the first and longest portion of this important night. The affairs of this world being thus arranged, she turned her thoughts to the more important concerns of eternity; and, even when the demands of nature betokened the necessity for repose, it was observed that she lay sleeplessly on her couch, while her lip moved in constant prayer.

The morning of the 8th of February at length arrived, and brought with it the messengers of death. In the great hall of the castle—the place which Elizabeth had herself suggested as the scene of the

(16) Jebb, II. 303. Keralco, V. 433.

execution—had been raised a low scaffold, surrounded by a railing, and hung with black; and on this were placed a stool, a cushion, and the block, all adorned with the same sombre hue; and, during the whole of the preceding night, it had been filled by those who came to gaze upon the last moments of the captive Queen. As the appointed time drew near, the Earl of Shrewsbury proceeded to the chamber of Mary, to inform her that her hour of death was come. She had dressed herself with scrupulous care, and seemed, in her manner and deportment, more like one who was approaching the attainment of a long-desired joy, than the doomed victim of a cruel and painful death. They found her kneeling before the altar, in her oratory, devoting her last hours to supplications to the Throne of Mercy; but, as the Earl and his attendants entered, she arose, took in one hand the crucifix, which stood upon the altar, and, grasping in the other her prayer-book—her constant friend—prepared to follow to the fatal hall. Her servants would have accompanied her, but this was forbidden; and, when they would have resisted the cruel exclusion from the last moments of their beloved mistress, she besought them to be content, and gave them her blessing with her last farewell. The doors were closed upon them, and a burst of heartfelt grief re-echoed through the castle.

As she proceeded to the foot of the staircase, accompanied by all the Commissioners and her keepers, who had now joined the train, another and a bitter pang awaited her. For a long period, her old and faithful servant, Melvil, had been excluded from her presence, and deprived of all communion with her; but, now, the hearts of the persecutors relented, and he was permitted to approach her, and bid farewell to the mistress he had served so long. The joy of again beholding his beloved Queen, was overpowered by grief at the occasion of their meeting; and every sentiment of gladness was smothered by the sorrowful emotions of his heart. Casting himself at her feet, and seizing her hand in the agony of his woe, he poured forth bitter lamentations on the wretchedness of his lot. "Ah, Madam, unhappy me!" exclaimed this venerable and faithful friend, "what man on earth was ever before the messenger of so important sorrow and heaviness as I shall be, when I shall report that my good and gracious Queen and mistress, is beheaded in England." Excess of grief choked his utterance; but Mary, mingling her dying tears with those which flowed so copiously from his eyes, reminded him of the glorious nature of her approaching change. "My good servant," she said, "cease to lament, for thou hast cause rather to joy than to mourn; for now shalt thou see Mary Stuart's

troubles receive their long-expected end and determination. For know, good servant, all the world is but vanity, and subject still to more sorrow than a whole ocean of tears can bewail. But, I pray thee, carry this message from me—that I die a true woman to my religion, and like a true Queen of Scotland and France. But God forgive them that have long desired my end, and thirsted for my blood as the hart for the water brooks. Oh, God! thou that art the author of truth, and truth itself, knowest the inward chamber of my heart; how that I was ever willing that England and Scotland should be united together. Commend me to my son; and tell him that I have not done anything prejudicial to the state and kingdom of Scotland." And then, bursting into tears, she said, "Good Melvil, farewell;" and, with weeping eyes, and her cheeks bedewed with copious tears, she kissed him, saying, "Once again, farewell, good Melvil; and pray for thy mistress and Queen!"

Drying the tears which had been drawn from her by this tender parting, she turned once more to the ministers of her death, implored that she might be permitted to confer with her confessor for but a moment;[17] and that her old and faithful servants might be permitted to surround her in the last

(17) Ellis, 2d Series, III. 113.

scene of her troubled life, and bear witness to the constancy and firmness with which she met her fate. The first was resolutely and vehemently denied; "the rather," says the Earl of Kent, "for that she came with a superstityous payre of beades and a crucifix;" and, at first, the presence of her domestics was also forbidden, from the fear that they might incommode and distress the Queen; and, still more, that they would offend by some devoted demonstration of their fervent love; but, at length, her urgent entreaties and passionate remonstrances overcame their scruples, and she was permitted to select some who should attend her. Melvil, Burgoin, her physician, her apothecary, surgeon, and two of her maids, were the objects of her choice; and, augmented by these, the melancholy train entered the Castle hall.

It was no longer the graceful and the queenly Mary, the pride of the French, and the gem of the Scottish Court, that advanced amid the throng which filled that scene of blood. The miseries of a long and severe confinement, the abstraction of every comfort, and the exposure to every bodily privation, had weakened and enfeebled that once agile form; the griefs and distresses of her mind, which the consciousness of suffering under injustice, combined with the knowledge of helpless weakness, could not fail to occasion, had worked fearful ravages upon

her frame; and she, whose light and nimble step had once bounded in the splendid halls of France, was supported to the scaffold by her old retainers, unable to reach it without their helping aid;[18] but the exquisite and radiant beauty of her countenance, in which her heavenly soul gave an angelic lustre to features of perfect mould, shone with its ancient and peerless brilliance; and the perfect loveliness of her expression, amazed and affected all who gazed upon her in that fatal hour.[19]

Having reached the scene of death, she resigned her mind to the contemplation of that world on which she was about to enter, and seemed to bury in oblivion all that passed around her. Seated on a low stool upon the scaffold, she was compelled to listen to the reading of the warrant, which authorized the destruction of her life; but while the clerk recited the words which it contained, a heavenly smile dwelt upon her features, and a glimpse of the glories of the better world suffused over her countenance an expression of angelic joy. But the term of her persecution was not yet to end. Not satisfied with denying to her the services of her own confessor, the fanatical zeal of the Commissioners induced them still to urge upon her the necessity of conversion, and the Dean of Peterborough

(18) Egerton. Strickland's Letters of Mary, III. 237.
(19) Ibid. Von Raumer, 385.

exhorted her to save herself from that perdition to which her own faith would necessarily consign her, and accept the promises of redemption which the ministers of Protestantism were alone permitted to offer to a repentant world. But she was immovable; she assured him that she was resolved to die in the faith which had consoled her throughout life; and, falling upon her knees, with hands uplifted towards heaven, while deep silence reigned throughout the hall, she poured forth her soul in an earnest and impassioned prayer. She besought that God, whose pleasure it now was to suffer her soul to be separated from its earthly tenement, to watch over the immortal member, and to pardon the sins and frailties of her life. She declared that, though born a queen, and anointed as the deputy of the Most High, she had never considered that this circumstance could exempt her from obedience to those heavenly precepts before which all, from the highest to the lowest, must bow alike in reverent submission. She confessed that she had been in her life very far from perfect; that her human frailties had often led her into errors which might call down upon her the anger of a just and righteous judge; but she protested now, when about to enter into eternity, that she was innocent of the grave crimes which had been charged against her, and that the thought of murder had never blotted the tablet of

her soul. And she besought that God, into whose presence she would shortly pass, if she had ever, either in thought or deed, countenanced such enormous guilt, that He would shut her out from the benefits of His mercy, and consign to eternal perdition her guilty soul. When, in the fervour of enthusiastic piety, she pressed to her lips the image of that cross on which her Saviour bled, the Earl of Kent, with a blind and incomprehensible aversion to that sacred symbol, which belonged not to that age alone, exhorted her to put aside such Popish trumpery, and bear her Saviour in her heart; but she replied, that she could not bear in her hand the representation of His sufferings, without finding His image pictured in her soul.

The executioners approached, and began to disrobe her for the final stroke. At first, unaccustomed to the rude handling of such assistants, she was displeased at their intrusion; but, quickly resuming that placid serenity which characterized her throughout this trying scene, she assisted their endeavours, and seemed, by her haste, as if tired of the world, and anxious to make her escape from earthly bondage. Addressing a few words of comfort to her weeping servants, who stood around her immersed in the extremity of despair, and, conferring upon them her final blessing, she seated herself again upon the stool; her maid,

taking from her hands a linen cloth, folded it, and laid it upon her eyes, and the executioner led her to the block. She knelt to receive the final stroke; but the groans and sobs of the sorrowing spectators, unsteadied the skilful hand of the experienced headsman, and he inflicted only a severe wound upon her skull. Another,—and another blow,—and the pure spirit of Mary Stuart, had fled to another and a better world.

Thus died Mary, Queen of Scots, in the forty-fifth year of her age, and after nineteen years of close captivity within the English realm. The history of the world fails to exhibit to us another individual whose misfortunes were so continuous and so severe, and the distresses which the poets have assigned to their imaginary heroes sink into insignificance beside the heavy sorrows which chequered her mournful life. Constituted, even in her infancy, an object of contention between rival states, she was early torn from maternal care, and banished, in the tender years of youth, to a foreign land; and when pleasure had begun to spread its roses beneath her feet, and the joys of connubial bliss shed high felicity over her life, the object of her fond affection was torn from her by the undiscriminating hand of death, and she was compelled to experience the bitter sadness of a widowed heart. Called early to preside over a people whose turbulence of dispo-

sition fitted them to be a torment to the best of rulers, and the main body of whom were, at the moment, excited with the severest fury against the faith which she professed, she was induced to repose confidence in men, who used the power which she had committed to them, to serve the basest ends of an unprincipled ambition; and when, lured by the too common delusion that symmetry of form is an unvarying indication of internal excellence, she reposed her affections on another husband, the misconduct of him whom she had chosen exposed her to the most grievous of insults, dashed the cup of happiness from her expectant lips, and brought down destruction upon his erring head. While suffering beneath the anguish of this double sorrow, she was doomed to hear herself stigmatized as the author of his death; and, when her soul, indignant at the foul and baseless slander, would have risen nobly in its own extenuation, the brutal violence of a powerful subject compelled her to confirm, in appearance, the suspicions of her foes, and to enter into an alliance which was vaunted as a demonstration of her asserted guilt, by the men who had themselves urged it upon her notice. Despairing of peace in her own land, she threw herself, with generous chivalry of heart, into the arms of one whom she had thought her friend; but found a prison

where she had looked for succour and consolation; and, after nineteen years of miserable and severe captivity, aggravated by every means which heartless tyranny could devise, she fell a victim to an unjust sentence, by the headsman's hand. But these extraordinary calamities, while they draw tears from those who dwell upon the records of her life, served only to enhance the excellence of her character. Formed in the justest mould of perfect beauty, and graced with every charm which the lavish hand of nature could bestow, the beauties of her person were overshadowed by the perfections of her refined and cultivated mind, and these again were in their turn eclipsed by the peerless excellences of her heart. Animated by the profoundest sense of true religion, she was a tolerant Catholic, in an age when the ardour of persecution yet envenomed the minds of the Protestant Church, and, extending freedom of belief to all beneath her sway, she sought only for a similar privilege for herself, while the truly Christian character of her piety was manifested in acts of charity and benevolence to all around her. Warm and enthusiastic in her temperament, she reposed unlimited confidence in all who gained her favour, and, though sometimes roused by the severity of insult into temporary passion, the eminently forgiving character of her heart caused her

to receive again with good will those who had most deeply offended against her peace. Endowed with every quality which in woman is most highly prized, she endured, with an unexampled heroism, which true religion could alone impart, miseries and persecutions which are without an equal in the history of the world; and, though it may have been the lot of others to fill a more distinguished station amid the nations of the earth, and to exercise a more material influence over the destinies of their fellow-beings, yet, so long as the pure and simple excellence of a spotless heart are allowed to rise superior to the mere perfections of person or of mind, and to command the respect, as they enchain the sympathy and affection, of mankind, the name of Mary Stuart will shine with a pure and holy lustre, which, deriving its brilliance, not from those achievements to which frail and feeble men accord their highest praise, but, from the unfailing source of spotless integrity of heart, will grow in radiance in each succeeding age, and attain its highest glory when vice and error shall have faded from the world, and rectitude and virtue shall be recognized as the brightest jewels of a monarch's crown.

THE DEFENCE

OF

QUEEN MARY'S HONOUR.

BY

JOHN LESLIE,

BISHOP OF ROSS.

TO THE READER.

THE tract, of which the following is a reprint, was the production of John Leslie, Bishop of Ross, the leader of the Commissioners of Mary at the Conferences at York, Westminster, and Hampton Court; and it may, therefore, be considered as embodying the feelings of the large party of her adherents in the time in which she lived. Having been diligently suppressed by Elizabeth, at the same time that she ordered copies of Buchanan's libel on Mary to be spread abroad with all diligence, as "serving of good purpose to defame her," it was printed at Liege, under the assumed

name which appears upon the title-page; but the suppression, and almost entire destruction of the English edition, has rendered the treatise so rare that I have been induced to present it to the reader in the present form, as one of those treasures of antiquity which should be snatched from the decaying grasp of time, and perpetuated as models for the imitation of succeeding generations. In order to increase the facility of reference, the paging of the copy, reprinted in the first volume of Anderson's Collections, and frequently referred to in the course of the present work, has been retained in the margin; and if the noble and chivalrous spirit of this truly glorious vindication should be infused into the minds of any who may peruse it, it will not have been reprinted in vain.

A

TREATISE

Concerning the

DEFENCE

OF THE

HONOUR

OF THE

Right High, Mightie and Noble Princesse,

MARIE Queene of *Scotlande,*

AND

Dowager of *France.*

Made by MORGAN PHILIPPES Bachelar of Diuinitie, *An.* 1570.

According to a Copy printed at

Liege: BY WALTER MORBERS. 1571.

A DEFENCE OF THE HONOUR

OF THE

Right High, right Mightie and Noble Princesse,

MARIE QUEENE OF SCOTLANDE,

AND

DOUAGER OF FRANCE.

IT were to be wished, that as God and Nature haue most decently, ordinately, and prouidentely furnished and adorned Manne with Two Eies, two Eares, and but with one Mouth, and one Tongue, wonderfully bridled and kept in with the Lippes and the Teeth, so Men would consider the Cause of it, and the great Prouidence of God therein, and, after due Consideration, vse themselues accordingly: Then should we sone learne and practise a good Lesson, to heare and see many Thinges, and yet not to runne headlong, nor rudely and rashly to talke of al we heare and see, but to talke within a Compasse, and to referre al our Talke to a Temperance and Sobrietie, and to a knowen tried (2)
Trueth, especially where the said Talke may sound to the blemishing and disgracing of any Man's good Name and Estimation.

BUT now a Daies (the more Pitie) there is nothing almost, but that as sone as it is perceaued by the Eye or

the Eare, must furthwith be lasshed out againe by the Mouth. Suche a superfluous and curious Itching we haue, dissolutely and vnaduisely to talke of all Matters, though they tende to the great Hinderance and Infamie of many of our Bretherne, and though we be nothing assured of the certaine Trewth of the Matter, yea, without Respecte to priuate or publique Persons.

Of such vnbrideled Talke no Man or Woman in our Daies hath (as I suppose) more juste Cause to complaine, then the right excellent Princesse, Ladie Marie Queene of Scotland, whose Honour many haue gone about to blotte and deface, in charging her moste falsly and unjustly with the Death of her late Husbande the Lorde Darley. For the Defence and mainteining of whose Innocencie in this Behalfe, we intend to lay forth before the gentle Reader, the most chief and principal Reasons, Grounds and Arguments, wherevpon the Patrones, the Inventors, and Workers of al these mischieuouse and diuelish Driftes, grounded themselues, and all their outragious Dooinges; and
(3) then consequently to infringe and repulse the same. For to rehearse, answere to, and repell all their Assertions and Objections, it would require a very long, tediouse, and a superfluouse Discourse, in as muche as these jolie gaie Oratours, measuring their Dooinges more by Number of false Objections, then by true substantial and pitthy Matter, to make a goodly Florish, and a trim Shewe, to face out and countenance their craftie Juglinges, and to couer their disordered Dealings therewithal, haue raked vp, and heaped together one vpon another, against their good Maistres and Souereigne Queene, no smal Number of slanderous Articles.

BUT in al this Rablement, in al this Raking and Racking, what thing els do they but vtter and disclose their owne spiteful Malice and malicious Spite, to the discrediting of their Cause, and themselues also? Euen as the Accusers of Aristophanes among the Athenienses did, by whom he being Ninetie and fiue times greeuously accused, was yet euery Time by the Judges cleared and found guiltlesse, as I do no whit doubt, but that this good innocent Ladie wil be (by the Verdit and Sentence of al indifferent Men) ridde and vnburdened in like Maner, of al Maner of Suspicioun, that these reprocheful Men woulde by their Malice and Ambition bring hir into (by their Willes) with al the Worlde. For as goodly and as greate a Muster as they make, two Partes of their slaunderous Accusation (4) are manifest, false and open Vntruethes, and foule forged Lies. The Residue thereof, though in some Part they beare Trueth, and be nothing preiudicial to the Queene in this Matter, yet they are ful calumniously and meruelous maliciously depraued, drawen and wrested to the worst.

THE Effect and Drifte of the whole tendeth to this, That, first, they would we should beleeue, that after her Mariage her Minde was, as it were, alienated from her Husband.

Secondly. THEY pretende certaine Letters, that they surmise, and would haue to haue bene written by her Grace, whereby they seeke to inferre against her many a Presumption, as their wily Braines imagine: But the moste weighty of them al seemeth to them to be her pretensed Mariage, whereof we wil lastly entreate.

AND yet, though they haue done their worste, though

they have cast out al their Spite and Malice against her, they neuer haue bene able, by any direct and lawful Meanes, to prooue any Thing at al, wherby they may staine her Grace's Honour in any one of the foresaid Points. Had they brought forth any such necessarily concluding Illation, we had not attempted this Defence in her Behalfe; but would haue yelded, and geuen Place to an open knowen Trewth: But seeing, that the best Matter they haue to supporte their Doings withal, is nothing else but Presumpsions and Surmises, which yet are not of the surest and moste probable Sorte, neither suche as are Presumptions *juris & de jure, contra quas non admittitur probatio.*

(5)

* Men should be rather prone to absolve then to condemne.

* Seeing also that we ought alwaies in criminal Causes, chiefly when a Prince is touched, who is God's Anointed, to be more procliue and prone to Fauour, then to Hatred, to be readier to absolve and release, then to deteine and condemne; and that it is farre better, and a more sure and more indifferent and upright Way, to saue the Guilties Life, then to condemne and cast away the Innocent, I trust, and am in an assured Hope, that al the indifferent Readers hereof (this being the Cause and woful Aduersity of a Prince, wheras the like Estate of Princes ought and is wont to moue and sturre al honest-hearted Men to Commiseration and Pitie, and to do their Indevour to the Redresse and Reformation of suche Wrong and Oppression done) wil with Indifferencie, and without all Partialitie, weigh and consider the Allegations of the one and the other Side, and judge of the Matter, as it falleth out, accordingly. Which is the very Thing we most desire.

And seeing the Aduersaries throughout al their Cause,

wander by Ghesses, and vncertaine Presumptions, let us also, as I may say, abuse a litle Parte of our Defence. (6) What say I, abuse? (perchance truely, if we had no better, or they any good Matter at al) nay rather vse them accordingly, for the more ample and better Trial and Iustification of our Cause. We aske them then, Why the better and the stronger Presumptions should not frustrate, auoide, and set backe the weaker and the worse? This Sexe naturally abhorreth such butcherly Practises. Surely, rare it is to heare such foule Practises in Women: And may we find in our Harts to beleue, that it is now at length found and practised by such a Ladie and Princesse, from whose Person, her noble Birth, her honorable State, and princely Education, and the whole Trade of al her godly and vertuous Life past, do farre repel and driue away al such Suspicion and conjectural Presumptions? And whom al Christian Princes haue had in high Estimation and worthy Price, for her great Prudencie, and many other princely Qualities, the which ful goodly do adorne and beautifie the Grace and Comlines of her roial Personage.

Doth any Man or Woman fal to extreme Lewdnes al at ones? No verily. We doo both rise, and fall by Degrees, as wel to all singuler Vertues, as to all extreme Naughtines. Let them shew me then, if they can, any euil Doinges in al her former Life, wherevpon to make a sinister Diuination, to fasten upon her their treacherous (7) Accusations. What unsemely, outragiouse and vnprincely Parte hath she hitherto played? Lette the noble Realme of France testifie of her Demeanour and Behauiour. Let her owne Subjects, that be not her open Enemies, and her

duble duble Traitours, accuse her hardly, and spare her not: But yet let them wel thinke withal at their better Leisure, and when they shal be better aduised, whether there be any indifferent Person, who wil not both detest, and vtterly abhorre the peruers and naughty Nature of such ungrate Traitours; or that wil not thinke it farre vnlike, that this noble Queene, who hath so gratiously pardoned them duble and treble Treasons, would euer finde in her Harte, so to vse her owne deare Husbande. This is vnlikely, this is incredible, and the more, al Circumstances considered. For if she had bene desirous to haue bene ridde of him, as they falsly and maliciously imagine, and report her to haue ben, she had good and lawful Meanes to serue her Turne.

* It is nothing like, that the Queene would haue sought the Destruction of the Lord Darley by these Meanes, when she might haue openly put him to Death by Justice.

* ALBEIT he was her Head in Wedlocke, yet was he otherwise but a Member of her Commonweale, subject to her, as to his principal and supreme Gouernesse, and to her Lawes, by the due and ordinary Processe and Course whereof, he might justly haue bene conuicted, condemned and executed, aswel for the Murther committed vpon Dauid her Secretarie, in whose Body his Dagger was found stabbed, as for the imprisoning of the Queene, and for the attempting to remoue her from ciuil Government, to intrude himself thereto, and for diuers other the like Pageants by him plaid.

(8)

WHO can nowe reasonably thinke, that where she, by Lawe and Justice, might haue fully satisfied this her falsely surmised Will and Desire, that she would not take the Opportunities in this Sort offered, but omitting them al, seeke vnlawful Meanes to his Destruction? This vehement Presumption of her Innocency is much holpen, for

that she would not consent to a Divorse betwene her and the Lord Darley (as we shal hereafter declare) though she were moued therto by a great Number of her Nobilitie, and by such as be now her greatest Aduersaries.

I adde thereto, as a great and an vrgent Presumption and Token of her Innocencie and pure Conscience, that she voluntarily came into * England (refusing the Offers of diuers of her owne Subjectes, who besought her Grace to repaire into their Quarters, profering to preserue her Grace safe therein) wher she knew right wel were both the Father and Mother of the said Lord Darley, a noble Princesse, that would not see the Blood of her deare Sonne unreuenged, and a worthy Sort of Men, of Nobilitie also, who would neither suffer suche a Facte to passe and escape unpunished, nor so vertuouse and giltlesse a Queene to remaine without Ayde, Helpe and Succour, being with Rebelles and Traitours shamefully oppressed, and bereaued of her royal Dignitie. The worthy Saying also of the wise Cassius is here to be remembred, Cui bono? Whereby he did signifie, that, in suche doubtful conjecturall Cases, a Man may make a great Ayme and Conjecture against the Personne appeached, if by the Facte doing he should enjoy any special Profitte, Emolument or Commoditie.

* The Q. contrary to minde of her Nobles, came into England.

(9)

If the Queene had, after his fatal and final Ende, purchased to her selfe the matching in Mariage with any great and mighty Prince, for her great Aduancement, or any other Encrease of her Honour or Aduantage whatsoeuer, there had ben some Colour and Shew, whereby one might haue an apparent Presumption.

Againe, she was not ignorant, but that his Death,

either proceding from such naughtie Meanes, or other wise naturally, was likely to be a merueilous great Let and Impediment to her great Affaires. Among other Things, the Testimonie and Confession of diuers Guyltie, as they be reported, and executed in Scotland for the said Offence, which they openly made at the Time of their Death, doth tende much to the Aduancing and Approbation of her Innocencie.

(10) THESE Men yet, peraduenture, wil replie and say, that these are but slender Presumptions. And yet were it so, that they were of Force sufficient, they must yeelde to an approued Trueth. It remaineth now then, that we consider how sure and substantial their Proufe is.

CONCERNING therefore the first Parte, we wil not altogether denie, but that she was somewhat estranged from him, and therefore they might haue spared a great Sort of their needelesse and friuolous Arguments, and yet flat and plaine Lies withal, to prooue the same. * But fie vpon the Crueltie of these Accusers, who were the very Authours themselues, and themselues the only Workers and Bringers to passe of al this Discorde, training this seely yong Gentleman by ther guilefull and wily Circumuentions, wretchedly to conspire with them against his owne deare Wife and dradde Souereigne, to the most cruell and detestable Slaughter of her trustie Secretarie Dauid, and to the Imprisonnement of the royal Person of the very Queene herselfe.

* The Q. Enemies lay to her, Discord with the Lorde Darley, whereof they were the Authours.

THESE, and many other like Pranks and Practises, as the Reuocation of th' Earle Murray, and of other Traitours of your Allie and Affinitie, without the Queenes Knowledge, by the Lorde Darleyes youthful, rash and

temerariouse Deuice to depart the Realme, with many other like Practises, Purposes and Attemptes, for his princely Person very unmete and farre vnsemely, ye craftily suppresse, and speake no Word of, for feare of burning your owne Clothes. (11)

I say therefore, Fie and dubble Fie vpon the Impudencie of these mischieuous Traitours, now to lay to the Quenes Charge, and reprochefully to object to her the changing of her Minde toward her Husbande, which rose and began upon Causes, for the which they had bene long earst trised vp, if they had not fortuned vpon and met with so gratiouse a Mastresse, as I knowe, and they, though vndeseruing it, do wel feele, that the whole Worlde hath very few her like. And yet al this your pretensed Alienation of her accustomed Fauour from him notwithstanding, her very motherly Care (for bysides al other Respectes, though they were not farre different in Yeares, she was to him not only a loyal Prince, a louing and deare Wife, but a moste careful and tender Mother withal) was neuer a deale lessed or minished: Albeit for a Time she did dissemble and forbeare outwardly to shew and vtter her most inward Hart and affectionate Loue, upon most just and good Respects, as the Manner and Practise of prouident and moste louing Parentes oftentimes is toward their deare Children, for the better reclaiming of the wandering Mind and wauering Wil of the youthful vnaduised Gentleman. And therefore hearing and aduertised, that he was repentant and sorrowfull, * and that he desired her Presence, she, without Delay, thereby to renew, quicken and refresh his Sprites, and to comfort his Hart, to the Amendment and repayring of his Helth lately by Sicknes (12)

* The Q. was fully reconciled to the L. Darley before his Death.

sore impaired, hasted with such Spede, as she conueniently might, to see and uisit him at Glasco. Whereas also at diuers other Places, especially at Edinborough, she from Time to Time most louingly enterteined, and most tenderly cherished him euer, euen to the very last Houre that euer she saw him. Whereby it did to al Men most euidently appeare, that al Maner of Displeasure and Variance, whatsouer your conjectural Surmises suppose to haue bene betwene them, or your seditious Practises, and ambitious Procedinges had sowen in their Stomakes and Minds, was not only now wel aswaged and fully appeased, but vtterly for euer quenched, as being altogether forgotten and troden (to your muche Misliking and great Discomfort) vnder Foote of them both, neuer to be renewed againe. But for as much as these Men do wel perceiue, that if this be true, which is in deede so certeinely true, that they themselues are, for the manifest Euidence thereof, euen driuen and forced to acknowledge and confesse the same: Then their great Samson's Post of Discorde and Debate, wherewith they would vnderproppe and vpholde al their traiterous Procedings, as also this their mischieuous
(13) Accusation and greeuous Crimination, the which they had fully now conceiued and brought, as they hoped, to Perfection, by the mischieuous Driftes of their shrewd, wily, diuelish disposed Braines against her, would faile them and fal to the Ground.

For this Consideration, I say, they nowe measuring these most commendable Doings of the very vertuouse and well-meaning Queene, by their own depe and dubble dissembling crafty Nature, their former Drifte failing them, began to lay a new Foundation to build their long con-

ceaued Treasons on, and say, that al this Curtesy, Fauour, Loue and Amitie, was but a set Matter on her Part, and colorable Shew, and a dissembled Drift and fained Pretense by her colorably conueyed, upon none other Purpose, but to flatter and entice him to Edenborough to his Bane, which, say thei, appereth by her own Leters.

It irketh and greeueth them to the uery Harte, to heare of the Reconciliation, and therefore they toyle and tumble from one Kinde of lying Rhetorike, to an other, euen quite contrary: For, as before they founde great Fault with her, for estranging her Favour from him, so now at the last they mislike at her great Trauaile taken in her Progresse, to uisit and cumfort him, judging and reputing al her dutiful Kindnes, as hypocritical and counterfeited Dissimulation. Wherin, by their malitious construing and wrong interpreting of wel and commendable Doing, they (14) represent the natural Disposition and froward Inclination of the Diuel, who hath that Name, for that he is willingly and of Purpose a malitious false Reporter and Accuser.

As for the Letters they take hold on, and slander her for, we shal hereafter examine them, what Weight they beare. Wel then, if there were such a Reconciliation made betwen them, as I haue said to be, as there is litle or no Cause at al, why any Man should thinke, that the Queene was priuie or ware of the Means of his Death; so may it seme but mere superfluous for vs, either to rehearse what surmised Difference were betwene them, or to confute the Falsitie of al such Allegations, † namely, seeing that in some thereof they charge the most innocent Quene with their owne most lewd, naughty, and wicked Deuises, and detestable Practises.

† The Aduersaries charge the Q. with their owne wicked Deuises.

As for an Example and Proufe thereof, the Earle Murray and his Counsaile perceauing, that for a Time the Queene seemed not wel to like her Husbandes Doinges, (albeit whatsoeuer her said Misliking were, it was, as is aforesaid, for the Loue of him, in respect of his owne Profit and Commoditie) being very desirous to bring home againe their confederated Mate, th' Earle Morton, who then was in Banishment, and remained in England for the Slaughter of David her Secretarie, without whose Presence and present Aduice their fetching Practises were halfe maimed, and lacked Force to take Effect, were earnest Suters, that if she would pardon him, they would procure a Diuorse betwene them, wherto she would not agree. *But what haue these good Men now done, thinke ye, in this Part? Surely they haue plaied the said Pageant with this innocent Susan, as the two wicked Judges did play with the other former Susan. They lay hard to her Charge their owne naughty and wicked Counsel and Deuise. It were therefore but a vaine and lost Labour for vs to stay and tarie long vpon the Confutation of their owne craftie malicious Inuentions and Procedinges, in procuring an Alienation of the Queenes Minde from her deare and welbeloued Husband, or vpon any other Alienation whatsoeuer; it so being that they themselues cannot denie, but that there followed a good Pacification and Reconciliation betwene them.

(15)

* The Q. moued by them, to make a Diuorse with the L. Darley.

We wil consequently therfore consider the second principal Point of our Discourse: † For they say, that they haue a sufficient Prouf to justifie the chiefest Part of their Accusation. A proper Iustification, pardie. This, this is their ioly Witnesse, this is their singuler Jewel,

† The Accusation touching Letters sent by her to the Earle Bothewel.

whereby they set much Store, the Value whereof, in their Eye-sight, they repute and accompt as of an inestimable Treasure. This most necessary Witnesse they haue alwaies attendant at Hand, and ready at a Beck to serue (16) their Turne at a Pinche, when Nede requireth, for al their Purposes and Attempts.

If ye doubt of the Veritie of any Parte of their Accusations, this Witnesse, though ye neuer sawe nor heard of any suche Thing, wil ful faire bleate it out, and make al Things according to their Mind, as cleare as Cristal, or as the bright shining Sonne: So that if this Witnesse once faileth them, then al their Accusation faileth them therewith, and by and by quaileth. And soothly this Witnesse yet, al this notwithstanding, what else is it, but a blind and deafe, and a domme Testimonie of certaine obscure Letters, written and indited (as they most falsly, and as vainely auouche, and hitherto were neuer able to proue) by the Queene to the Earle Bothwel.

*It is, forsooth, a Boxe of Letters taken from one Doughleysh, who was executed for the Lorde Darleyes Death, the Earles Man, forsooth; whiche Letters he receiued at Edenborough of one Sir James Balfoure, to conuey to his Master: Thus say they. But we say to you, as is sayd in Terence, *Non sunt hæc satis divisa temporibus.* The very Time, if nothing else were, bewraieth you, and your whole Cause withal. Is it to be thought, that either the Earle would send to the said Sir James, who had before assisted the Faction against the Quene with the Force and Strength of Edenborough Castle, and driuen from thence (17) the very Earle himselfe, or that the said Sir James would send any such Thing to the Earle? is it likely? is it cre-

* The vnlikely Tale of the Earle Bothwelles Letters surmised to be sent to Master Balfoure.

dible? Had the Forger and Inventour of this Tale, by seemely Conveiance parted and diuided the Distinction of his Times? How say ye? Whereas, nowe it is in no Case to be supposed or coniectured, that suche a wise vertuous Ladie would sende any suche Letters; yet putting the Case, that she had sent them, it is not to be thought, that either the Receauer thereof, or that she herselfe, whom ye conceaue to haue sent them, would haue suffred them, for the hasarding of her Estimation and Honour, to remaine vndefaced, namely seeing there was a special Mention made, and Warning geuen forthwith to burn them, and make them away.

† In case the surmised Letters were sent by the Q. they can make no good Prouf against her.

†NEVERTHELESSE, when you haue taken your best Aduantage you can of them, such kinde of Letters missiue and Epistles, especially not conteining any expresse Commaundement of any vnlawful Acte or Deede to be committed and perpetrated, not ratifying or specifying the Accomplishment of any such Facte already past, but by vnsure and vncerteine Ghesses, Aymes and coniectural Supposinges, are not able in any wise to make a lawful Presumption, much lesse any good and substantial Proufe, not only against your Soueraigne and Prince, but not so
(18) muche as against the poorest Woman, or simplest wretched Creature in al Scotland.

SURELY the Ciuil Lawe willeth, That in Criminal Matters (for such are these) the Accusers alleage and bring foorth nothing, but that they may be able to approue and iustifie by the Testimonie of good and lawefull Witnesses, or by some other most manifest, cleare and euident Proufe or Presumptions.* *Sciant cuncti accusatores, eam se rem deferre in publicam notionem debere, quæ munita sit idoneis*

*L. fin. C. de Probat. What exquisite

testibus, vel instructa apertissimis documentis, vel indiciis ad probationem indubitatis, & luce clarioribus expedita. Proufes be required in criminal Causes.

THIS Rule ought to be obserued, and kept in the simplest and seeliest poore Man's Cause that is. And thinke you nowe, you moste vngrate and vnthankefull Subjectes, that ye maye lawefullye take Armes against your Maistresse and your moste benigne Queene, that ye maye caste her into vile Prison, and spoyle her of her Croune, and (whiche is more) of her good and honourable Name, Fame and Estimation; and then bleare Mennes Eies, and face the World out with the Shew of these Letters, as it were with a Carde of Ten? But yet, say you, they are her Letters. She denieth them, and we denie them to. †There is neither Subscription of the Writer, nor Superscription vnto whom they were directed: They are neither sealed nor signed; there appeareth neither Date, wherein they were dated, neither Day nor Moneth. There is no Mention made of the Bearer, who is, as it may be supposed, for any Name he beareth, the Man in the Moone. He was neuer yet knowen nor herd of, that did either receaue, or deliuer them. *For as for him that ye surmise was the Bearer of them, and whome you haue executed of late for the said Murther, he, at the Time of his said Execution, tooke it vpon his Death, as he should answere before God, that he neuer caried any such Letters, nor that the Queene was participant, nor of Counsayle in the Cause. Think ye that wise and expert Men are ignorant how perilous and dangerous a Matter it is, to fasten any good Proufe vpon Illation of Letters, and how ‡easy it is to some Men, to imitate and counterfeat any Character? The which a Knight, lately deceased

† The surmised Letters neither haue Superscription of the Writer, nor Subscription, neither any Date, neither signed nor sealed, and the Bearer neuer knowen.

*He that was the surmised Bearer, at his Death denied the same.

‡ An easy Thing to counterfeit a Man's Hande.

in England, could so liuely and subtilely doe, that he who wrote most crabbedly and vnleageably, could hardly discerne his owne Hande-writing from the Knight's counterfeiting Hande.

But who conferred these Letters, I pray you, with your Queenes owne Hande-writing? Dare you to warrant them in this so perilous and weighty a Cause, to haue bene so exquisitely and so exactly vewed and conferred with al suche dewe Circumstances as the Ciuil Law doth require, were it but a Ciuil or a Money Matter? You
(20) wil, peraduenture, answere, that there was dew Collation by you made. O perfecte and worthy Collation! O meete and apt Men for suche a Purpose!

As though it is not notoriously knowen throughout the Worlde, that ye are her most mortal Enemies, as though these counterfeit Letters were not the vnderpropped Postes and Upholders of your whole Treachery and vsurped Kingdome; as though that many in Scotlande could not expresse, and resemble, and counterfeit in their Writinges, the Queenes very Character: *And as though there were not among yourselves some singuler Artificer in this Handy-craft, and that hath sent Letters also in her very Name, aswel into Englande, as to other Places bysides, without either her Commaundement or Knowledge. How can I chose then, but say, that this Deede is your shamefull Handy-craft, and not her Hand-writing? Yea, surely, al this is your owne fained Forging, and most vile Counterfeiting.

* These Letterswere fained and contriued by the Queenes Aduersaries.

If ye be angry with me for thus saying by you, I hope you will be sone colde with me againe, seeing that I will not bring out any dead Witnesses, as ye craftily

do, contrary to Reason and Lawe, *quia testibus, non testimoniis credendum est*; nor suche like, but good, sufficient and lawful Witnesses, suche as ye can not by any iust Exception or Tergiuersation auoyde or elude. And these (21) are none other, but euen your owne selues.

For either you must bring foorth good and apparent Witnesses, to prooue it her Hande, or some suche as were priuie to the Meaning of the sayd Letters; whiche ye neyther yet haue done, nor are likely euer to doo. Or ye must graunte, that you were priuie to them yourselues with the Queene, or at least with the said Earle, whom ye surmise to haue receaued these Letters, or that al this is by you maliciously driuen and concluded.

If ye graunt us, that ye were priuie of the saied Letters, we truste then you wilbe good to the Queene, and if it were but for your owne Honesties sake. If ye denie that, and withal, that you were the Contriuers thereof your selues, we pray you to tel us, and blush not, how you could so readily and so directly hit the Interpretation of these Wordes *(our Affaires)* and what these Wordes should meane, there being so many Affaires, as ye pretende, in these your fayned false Letters betwene the Queene and the Earle.

That only Thing, that by these Wordes ye surmise, pretende and conjecture, I suppose, that if you were wel examined of this Point vpon the sodaine, and were vrged and vehemently pressed by any indifferent and vpright Judge, you woulde be somewhat to seeke. And yet take at your Leasure as good Aduisement, and as long Con- (22) sultation with your selues, as ye can, and may thinke meete, and seke as many fine Fetches, as ye list, ye neuer

shall shift it of with Honestie, nor wel ridde your Handes thereof. Whereof I, for my Part, do take my selfe ful assured, and therefore do thinke it a nedelesse Discourse for me, to make any further Descant vpon suche an vnpleasant, iarring, and vntuneable plaine Song of your own setting and making, and am right wel contented, that ye do make as gaye glosing Comments and Interpretations as ye list, and as your Cunning and Skil wil serue you, to these your owne shameful vntrue Textes.

But now weigh and consider with your selves, I hartily pray you, and see whether that al your Legerdemaine and close Conueiances in your false Play, aswel touching and concerning your fit jugling Boxe, as al your other like Trickes, and cunning Illusions, be not fully espied, and plainely and openly inough laied out to eche Man's Eye, to behold and vew. And as touching your said jugling Boxe, you haue ben uery fouly and merueilously ouersene in the close and cleane Conueiance of your Fingers, for that a Man more then halfe blinde may perfectly see and perceaue your foule Play, forasmuch as the uery selfe said Doughleish, whom, among other, ye
(23) executed and ridde out of the Way, hath said, and sufficiently declared for the Quenes Innocencie.

Nay, nay, perhaps you wil say, although our Letters, although our dead Witnesses, and although our other Matters faile us, yet we hope, that the litle faint Mourning she made for his Death, the Acquital of the Earle, and her pretended Mariage with him, wil help your Cause, and geue Testimony against her. And why so, I pray you? Was not his Body embalmed, inseared and interred bysides the Queenes Father, the late King James, accom-

panied with Justice Clerke, the Lorde of Traquarre, and with diuers other Gentlemen? The Ceremonies indeede were the fewer, bycause that the greatest Parte of the Counsaile were Protestantes, and had before enterred their owne Parentes, without accustomed Solennities of Ceremonies. *Neither is there any suche Order or Custome, as ye pretende and make your Reckning of, for the Reseruation of the Corps Forty Dayes, nor any such Obseruation was kept and vsed about the Corps of the very Father of the Prince: Neither yet was there any such Order taken, or appointed by the Counsaile, for the Enterring of the said Lord Darleyes Bodie in such sorte as ye notifie, but euen directly to the contrary. Yea, ye are as litle able to proue that there hath ben any such customary Solemnitie obserued, of so straight and strange a Mourning, as ye most seuerely would restrain and bind (24) the Queene vnto, as ye be able to proue the Residue of the Premisses. But in case ye could wel iustifie some such usual Order, yet shal ye neuer be able to shew, that it doth extend and apperteine to suche Kinde of Queenes as she is. For they mourne their Husbands, who were Kings: Her Grace mourneth after another Sort. She a Prince, her Husbande a priuate Man, and a Subject. They, as Women most commonly do, take their Honour and chief Dignitie of their Husbandes. Her Husbandes Encrease of Aduancement came by his matching with her.

*An Answer to the Aduersaries Objections, that the Queene did not mourne the Death of the L. Darley.

*And further, Women, by the Ciuil Law, are, in diuers Cases, discharged and excused for their omitting thereof, and forbearing their so doing. And yet, did this good gentle Lady bemone, even such a one, a notable Time, enjoying and using none other then Candle-light,

*L. liberor. ff de his qui notantur inf.

as was knowen to all the Nobilitie of Scotland, and also to one M. Henrie Killigraie, who was sent thither from Englande to her Comfort, according to the Vse and Maner of Princes. Who had a longer Time in this lamenting Wise continued, had she not ben moste ernestly dehorted by the vehement Exhortations and Perswasions of her Counsaile, who were moued therto by her Physitians Informations, declaring to them the great and imminent Dangers of her Health and Life, if she did not in
(25) al spede breake vp and leaue that Kind of close and solitarie Life, and repaire to some good open and holsome Air: Which she did, being this aduised, and earnestly thereto solicited by her said Counsaile. Al which yet notwithstanding, this her Fact is with these most seuere and graue Censors taken for and reputed, as the very next Siñ of al to the most greuous Sinne against the holy Ghoste. But, O good pitiful Men, who for the very tender Loue and singuler Affection which you did euer beare to the L. Darley (the which truly was so vehement, that for your exceding hot and feruent Loue towards him, ye euer sought his Hart's Blood) do now so pitifully bewaile him! But if she had, by reason of the Closenes of the Aire, and somewhat longer Continuance in her mourning Place, and in her desolate and doleful Estate, accelerated her owne death withal, then had she, by the Earle Murrayes, and his Adherents gostly Judgements, mourned like a good honest Wife, and to their best Contentation, it being the right Way, and readiest Meanes to haue conueied and brought the said Earle to that place, wherevnto he so long and so greedily aspired, and the which, now at the length, he hath atchieued and atteined.

As for the Residue of their Sayinges, if there be any Faulte in the Queene, it surely falleth dubble and treble vpon these Achitophelles. And the good innocent Ladie, who hath bene so wretchedly and so vnworthely by them (26) abused and circumuented, is more to be pitied, then to be blamed. The Earle Bothwel was acquited by his Peeres, according to the common and ordinarie Trade and Maner, in suche Cases vsually obserued. These vnnatural and disloyal Subjects, these most shameful craftie Colluders, her Aduersaries and Accusers, I meane the Earle Morton, the Lord Simple, the Lord Lindzay, with their Adherents and Affinitie, especially procured, and with al Diligence laboured his Purgation and Acquital; which was afterwards confirmed by the Three Estates, by Acte of Parlament.

THESE, these, I say, whereof some are now the vehement and hotte Faulte-finders, and most earnest Reprouers and Blamers of the said pretended Mariage, were then the principal Inuenters, Practisers, Persuaders, and Compassers of the same. They procured a great Part of the Nobilitie to solicite the Queene to couple herselfe in Mariage with the said Earle, as with a Man most fitte, apt and mete for her present Estate and Case.

*FIRST, alleaging the dangerous Worlde, and oft inculcating into her Minde and Remembrance, the present perilous Time and Dealinges of Menne, whiche, the better to preuent, and more surely to withstande, by their Counsel and Persuadings induced her, and by other their crafty Doinges, as it were, enforced and constrained her (27) to take a Husband to be her Comforter, her Assister, her Buckler and her Shilde, to defend her against al her whatsoeuer Aduersaries.

*The Consideration moving, or rather forcing the Quene to this pretensed Mariage.

If she would be contented so to doe, they promised him Seruice, and to the Queene loyal Obedience. Yea, many of them bound themselues to the said Earle by their owne Hande-writing to assist, maintein and defende him against al Men that would then after challenge or pursue him, as guiltie of the said Crime. The which their Doings the Queene considering, and fearing Dangers imminent, and withal calling to Mind the sundry and diuers Uprours and Seditions already made against her, the wretched and most cruel Murther of her Secretarie in her own Presence, the late strange and miserable Murther of her Husband, the Distresse, the Discomforte and Desolation, wherein she was presently bewrapped, the Earles Activitie in martial Feates, and the good and faithful seruice done by him to her Mother and to herself, fearing some new and fresh Sturre and Calamitie, if she should refuse her Nobilities Request, (though very circumspect and naturally prudent in al her other Doinges) yet neuerthelesse a Woman, and especially neuer to that Houre ones admonished, either openly or priuately after the Earles Acquital, that he was guiltie of the said Fact, nor suspecting
(28) any Thing therof, yelded to that, to the whiche these craftie, colluding, seditious Heads, and the necessitie of the Time, as then to her seemed, did in a Maner enforce her.

Let them now lay on Lode, let them now rage and raue against this Acquital and Mariage, let them lie to their owne Shame vpon their owne Deuises and Doinges, thereby to defame their Queene. Let them lie, that the Erle of Huntley was restored to his Father's Patrimonie, to procure his Sister's Consent to the Diuorse betwene

the Erle and her: Which Restitution was made, not for that Consideration, but bycause the Queene thought, in her Conscience, his Father wrongfully condemned.

Let them crie out vpon th'Earle Bothwel, for that the Sentence of Diuorse was promulged, partly by Force, partly without the iust and vsual Order of the Law, and without sufficient Proufs. Let them cry out upon him, for his violent taking and deteining the Queene. Yet if they can not precisely prove the Quenes Consent to any of his unlawful Actes, as hitherto they were neuer able to do: Then can they not get or gather any iust occasion (which is the Thing they only seeke for) to suspect the Queene of this greuous Acte. On th' other Side, it is wel knowen, and easy to be proued, that this Faction did chiefly procure (as we haue said) aswel the Acquital, as the supposed Mariage: And therfore, by Likelihood was priuie of all other consequent Deuises and Practises. Wherefore they (29) do nothing but blow out and blase to the Worlde, with their owne foule filthy Mouthes, their own Shame, and do fare like a Man that doth thrust a Sworde through both his owne Sides, to pricke a litle, and raise but the outward Skinne only of his Enemie.

Ye may now wel perceaue, gentle Reader, that hitherto they haue produced litle Matter of Credit against their Quene; and yet, as it appeareth, very good Matter against themselues, and for their owne Discredit. Nowe, may ye therefore easily conjecture, and by these their chiefe and principal Matters and Groundes easely perceaue, what Accompt is to be made of al the Residue of their lewde Slanders, and what smal Force and Strength al their whole Sayinges do beare. They see it, they see it wel

inough themselues, good Reader: Whereby they wel perceaue and fully vnderstand, that they altogether are vnable to beare out and mainteine, by Reason, Justice or Law, these their outragious and seditious Procedinges; and therefore they set vpon them the best Colour and Countenance they can. Wherein you shal nowe heare what they did alleage, being in England, for themselues.

* The Aduersaries Declaration before the Commissioners of England.

(30)

* THEY say, That no Man can charge them, or the Residue of their Nobilitie, that they haue gone as much as one onely Step from the Office and Dutie of good Subjectes in taking Armes against the outragious Enormities already committed, and to preuent the great Dangers imminent to their Queene and her dere Sonne, to their Nobilitie, and to the whole State of their Weale publike, and that it was no smal Hart's Grief to them, to heare what Vilanie al Nations thought, and openly spake of them, for suffering such a tragical Matter to scape vnpunished: Which Thing ingendreth of vs (say they) among Strangers and al forain Nations, an ill and sinister Opinion of some common Consent thereto made by our whole Nobilitie; yea, to see also the very Executour thereof himselfe, by violent Force to take, deteine, and kepe his and their Souereigne, and with mariyng with her to disteine her Honour.

WHERFORE, to set her Majestie at Freedom out of his Bondage, to preserue her Honour, and the Personne of her Sonne, and, by due Punishment of suche a Malefactour, to recouer their good Name and Estimation, with the Rest and Quietnes of their Contrey; when they had but in vaine attempted aswel al other Meanes, as by the offring

to the Earle singuler Battail, they were driuen to gather Force to resist them, who came to the Fielde against them with a strong Army: But he, refusing either to wage singuler Battail, which was then offered to him, or to joyne in Battail with their Campe, escaped by Flight. The (31) Queene, in the meane while, rendred herself into the Nobilities Hands there assembled, and by them was conveied to Edenborough: But afterward they were, of uery Necessitie, compelled to sequester her, vntil such Time as some Remedie might be found for these Maters, into Lochleven. Wher she hauing now aduised with herself, and fully perceued her owne Disabilitie to susteine the Weight of so great a Roome, frely and voluntarily (by their saying) gaue ouer the Croune to her Sonne, appointing the Earle Murray, being at that Time out of the Realme, to be Regent therof during her Sonnes Minoritie. Th' Earle Bothwel, not long after being by them pursued, fled the Realme to escape their Handes.

Now, this said Resignation by the Queene ones made to her Sonne, he was forthwith by them solemnly crouned, and he, as King, the Earle Murray, as Regent, obeyd, and the State of both these Regiments was by Acte of Parlament established. Whervpon Quietnes began to encrease, and Iustice more and more daily to take Place: Which yet some Persons (sai thei) much enuiyng at, to the Disturbance of the same, and of the King's Authoritie, first practised, contrary to the said their Acte of Parlament, the Queenes Deliuerance out of Lochleuen, and then shewed themselues in Armes. But as their attempt (say they) was vnlauful, so the victory fel against them on our the (32) righteous Side. Whereby God himself semeth to haue

geuen Sentence for the Equitie of our whole Cause against our Aduersaries.

THESE are the principal Allegations that these good Men haue proposed for the Iustification of their Proceedinges against the Quene before the Commissioners of England. Finally, they say that the moste Parte of themselues are for particuler Benefits priuately so muche beholding to their said Quene, that a Number of them could be contented and wel willing, if they might preserue Scotland in the State of a Kingdome, preseruing also the Profession of true Religion, with the Kinges Person, and the whole State, from Danger, to liue willingly in perpetual Exile and Bannishment.

GOD be thanked, that after these seditious and trayterous Subjectes haue bene so stout and storming in the reckoning vp, and accumulating of Faults and Offenses of their innocent Maistresse and Quene, they are yet at the length forced to answere for themselues, and for their excessiue, outragious, rebellious Dooings. Their glorious and glittering Excuses may, perhaps, at the first Shew, seme to some of the Readers to haue a ioly Face of much Probabilitie, great Trueth, and feruent Zeale to the Weale Publike: But may it please them, aduisedly and depely
(33) to ponder and weigh, aswel what we haue said, as what we farther shal say in Supplement of ful Answere, and then to judge and deme of the Mater none otherwise, then Reason, Equitie and Law do craue; they shal at length fynde out, and throughly perceaue and know these Mennes Dealinges and Doinges, who as yet couer their foule filthy Lying, detestable Practises and trayterouse Enormities, with suche a Visarde of counterfeit fained Holines, and

suche exceding greate Shew of Zeale to the Queenes Honour, in punishing Malefactors, and to the Preseruation of the State of the Realme, as though al the Worlde would fal and go to Ruine, if it were not vpholden and vnderpropped by the Strength of their Shoulders. They shal see, how they wil appeare in their owne natural Likenes, so ougly, that al good Harts will vtterly detest them, and thinke them moste worthie, for Example sake to al the Worlde hereafter, of extreme Punishment.

We affirme then First, That as they haue produced nothing in the Worlde touching the principal Points, as of the Lorde Darleyes Death, the Acquital of the Earle Bothwel, and the Queenes Mariage with him, iustly to charge her withal; so are they themselues, aswel for the said Acquital and Mariage, as for their damnable and rebellious Attempts against their Souereigne, and for many other enormous Crimes, so farre and so depely charged, so foule stained, and so shamefully marked and noted, that neuer (34) shal they, with al their hypocritical fine Fetches, be able to rubbe out the dirty Blottes thereof from their Skirts; which Thing wilbe easely perceaued of them, that wil vouchesafe aduisedly to consider the friuolous and contradictorie Excuses they make in their Defence.

* At the Beginning, their open surmised Quarel, whereby they went about to drawe the Peoples Hartes to themselues, and to strengthen their owne Faction, stood in three Points, as appeareth by their Excuses, and by their pretensed Proclamations. * The Causes that the Rebelles pretended at the Beginning.

The First was, To deliuer the Quene from the Earle Bothwel, who violently deteined her, and to preuent Daungers imminent to her Person.

THE Second, To reuenge the King's Death vpon the said Bothwel, whom they knew (as they pretended) to haue ben the principal Doer in the Execution of the said Murther.

THE Thirde was, To preserue the yonge Prince, the Queenes Sonne. This is their ioly and holy Pretense.

NOWE let us see, how conformable their worthy Procedinges are to these their colourable cloked holy Collusions.

* Answere to the First.

* THE first gentle and humble Admonition that these good louing Subjectes gaue her, to refourme these surmised Enormities, was in Battail Array at Bortwike Castle, which they thought vpon the sodaine to haue possessed with the Queenes Person. Wherevpon, they being disappointed therof, gat into the Town and Fortresse of Edenborough, by the Treason of Balfoure the Captaine thereof, and of Cragmiler the Prouost of the Citie: Whereby they, being the more animated to follow and prosecute their wicked Enterprise, began now to be strong in the Field. The Queene hauing also a good strong Army, and thinking herself wel able, therby to encounter with th' Enemie, and to represse their furious Outrage; yet notwithstanding, for the great Loue and Pitie she had to them (though rebellious Subjects) willing, as muche as in her lay, to kepe and preserue their Blood from Sheding, offred them faire of her owne free Motion, that if they would vse her as their Queene, she would peaceably come to them, and take due and conuenient Order for the Redresse of al suche Thinges, as might appeare by Law and Reason mete to be refourmed.

(35)

† The Lord Grange pro-

† WHEREVPON the Lorde Grange was sent by the

Lordes to her, who, in al their Names, moste humbly, vpon his Knees, assured her of al dewe Obedience, of Securitie and Safetie of both her Life and Honour. And so the good Ladie, her Conscience bearing her Witnes of al her just and vpright Dealinges, and therfore nothing mistrusting, dismissing her Army yielded herself to the Lordes, who conueyed her to Edenborough, and there set her at suche a meruelous Libertie, and in suche Securitie and Safetie, that al good Men to the World's Ende wil wonder at their exceding good Loyaltie.

mised, upon his Knees, Obedience in al the Rebelles Names.

(36)

FIRST, they keping her owne Palaice, set and placed her in a Merchant's House, and vsed her otherwise very homely. She now considering and perceauing to what Ende these Matters tended, most pitifully cried and called vpon them to remember their late Promisse, or at the least that she might be brought before the Counsaile, offering to stande to the Order and Direction of the States of the Realme: But, God knoweth, al in vaine. For now had they the Pray whereon they intended to whet their bluddy Teeth, ere they did dismisse or forgoe her, as the Euent doth declare. Wherefore, in the Night priuily she was conueyed, and with Haste, in disguised Apparel, to the strong Forte of * Lochleuen, and after a few Daies, being stripped out and spoyled of al her princely Attirement, was clothed with a course broune Cassoke.

* The Q. imprisoned at Lochleuen.

AFTER this, these good loial Subjects, practising and encreasing more and more daily the Performance of their saied promised Obedience, neuer ceased, until they had vsurped the ful Authoritie and Regiment of the Whole. Into the which though they had intruded themselues, yet seing, as blinde as they were, by disordinate, vnseemely and vn-

(37)

measurable Ambition, that the Queene remained and was stil Queene, and that there was no just Cause, by the ordinarie Course of the Lawe, or for any her Demerits and Deserts, to bring her forth to her Trial, that she might be conuicted and deposed, went, like good honest plaine Men, and wel-meaning Subjects, bluntly to worke, and consulted and determined to dispatche and rid her out of her Life, unlesse she would yelde to them, and subscribe suche Writinges as they would send to her, concerning the Dimission of her Croune to her Sonne, and the Regiment of the Realme to the Earle of Murray.

WHEREVPON th' Earle of Athele, Secretarie Ledington, with other Principals of their factious Band, sent Robert Miluen to Lochleuen, to wil her in any Case, if she sought the Safegard of her Life, to condescend to such Demaundes, and set her Hand to al such Writinges as should be proposed and brought to her; whiche (as they said) to doe, neuer could be prejudicial to her, being by Force and Violence extorted. Sir Nicolas Throgmorton also, being then Ambassadour there from England, gaue her the like Aduise.

* The Q. thretned to be ridd away, if she would not renounce her Croune.

* Now at the last cometh the Lorde Lindzay, sent in Commission from their Counsaile, to present and offer vnto her the Writinges, who, most greuously, with feareful Wordes, and uery cruel and sterne Countenance thretned her, that vnlesse she would therto subscribe, she should lose her Life.

(38)

BUT cal you this voluntarie Yelding-ouer and Resignation of the Croune, a voluntary Assignation of the Regiment to you, Earle Murray? Yea surely, as free and voluntary, as a Man, with his owne Hands, casteth into

the Sea his Goods, in a maine and raging Tempest, freely and voluntarily; sauing that peraduenture, ye may replie and say, that there is so much Wil in him, that he had rather bide the Aduenture of his Goodes and Riches, then of his Life, being contented to redeeme the Safeguard of his Life, with the Losse of his Goodes.

And yet as voluntary as ye make it, free and voluntary ye shal no more make it, then ye shalbe able to prooue that the Peoples good Wil was alienated from her, as ye surmise. For the procuring whereof, ye haue, by your crafty slanderous Leasinges, and wretched Practises, done all the Endeuour that your malitious and spitefull Braines could inuent and search out: but surely your Dooinges haue bene so gratious, that if she had bene deadly hated before, they might haue procured and gotten her a wonderful Loue and Fauour of the People againe. And whereas she was (euen as she wel deserued) most entierly and tenderly beloued before, now ye haue, by these your so tragical and tyrannical Procedings, purchased to (39)
her such an Augmentation and Encrease of the same (specially when that the People, among whom for a While, some ye haue, through your coulorable craftie Conueiances, made to misdeme and haue somewhat the worse Liking of her, shal throughly and perfectly vnderstand and knowe your said wily Policies, as more and more daily they doe) that she shalbe much beholding to you; but no God haue Mercy to you therefore.

But now to procede and go forward with your louing loyal Procedings towarde her, ye neuer ceassed nor staied, until ye had procured and obteined a coulorable Parlament, whereby ye gotte your vsurped and vnnatural

Kingdome ratified and confirmed, and not only al your wicked Practises already past, but euen what Mischiefe soeuer ye wold, should afterward passe also against her Quietnes and Safetie. And thus behold, how these humble, obedient and louing Subjectes, haue purchased and procured a Commission long beforehande, the like whereof (as I suppose) was neuer in the World heard of afore, and in any whatsoeuer rude, sauage and barbarous Nation or Countrey, to slay, kill and murther their owne Souereigne Queene, and a most innocent Ladie, at their owne Willes and Pleasure. The which their saied Commission they had in this wise executed long ere this, as
(40) it is credibly thought, if God had not wonderfully eluded, and miraculously frustrated this their mischeiuous malitious Purpose and Intent.

AND yet is there one Injurie more, that doth greeue and molest this good guiltlesse Ladie more then al these foretold villanous Pranks plaied of them against her, and surely not without iust Cause of Griefe; for indede it farre passeth and excedeth them al, and that is, their shameful and most traiterous diffaming her, being altogether innocent therein, with the Death of her Husbande, as though that she had suborned the Earle Bothwel therto, and rewarded him therfore with the Mariage of her owne Body.

* The Answere to the Second.

HERE, perchance, they wil say: Mary, this is our chief Quarel indede, this was the Marke we principally shotte at. The great Loue and Zeale we beare to Justice, and the earnest Desire we haue to purge and rid the Realme of the Slander and Infamie, that ariseth therto by this horrible Facte, moueth and stirreth vs vp to seke, by al

Meanes we can, the punishing of the said Earle, who was the Committer and chief Perpetrator thereof.

If it so be, surely there is, uppon the sodaine, commen vpon you a meruelous Deuotion. For why? were not ye, and your Band and Adherents, the chief and principall Authours, Assisters, Fautours, Aiders, and Abetters, for the clearing and justifying of the said Bothwel, accused and indited as gilty of the said Murther? What is it, that maketh you now so hot, that then were so cold? By like the World and Wether is anew changed, and altered of late. Yet tel us, we pray you, in good Earnest, was your principal Scope and Zeale to apprehend th' Erle * Bothwel? Tel vs then a good Cause, why ye did dismisse him, when you might haue had him at your Pleasure? Did not the forsaid Grange, comming to the Queene from you, speak to him also? Did he not take him by the Hand, and wil him to depart, assuring and telling him, that no Man should folow or pursue him? Did not th' Erle remaine in the Countrey, at Hand many Monethes after, vntil the returning Home of the Earle Murray? And then for a Face and Countenance, ther were made out to the Seas certaine Ships to apprehend him, it being of you pretended, that he was now become an arrant Pirate and Rouer vpon the Sea. (41)

* The Q. Enemies dismissed the Earle Bothwel, when thei might have taken him.

Nay, nay, it was not he you so long sought after. It was another Bird, and her ye had fast in the Cage: And therefore ye permitted the Earle to flee whether he would. But yet you say, in your Accusation put vp to the Commissioners of England, that as he was the chief Executor of the said Lord Darley's Death, so she was of the Foreknowledge and Counsel, yea, and the Mainteiner

(42) therof also; and therefore she both stopped the Inquisition of the Facte, and Punishment of him, and also matched herselfe in Mariage with him.

I aske then, as before, of you: Why, through the special Sute and Procurement of your Faction, he was acquited and set on cleare Bord? Why did you, with a great Number of the Nobilitie, moue further, and worke the said Mariage, as most meete and necessary for your Quene?

* The Q. Enemies bound, by their Hand-writing, to obey the Erle Bothwel, if he maried the Q.

* Why did you, as by your Hand-writing it wil appeare, proffer and promisse to him your faithful Seruice, and to her your loyal Obeisance? Why did none of al your Faction, nor any other els, either openly, or priuately declare and detect this Matter to your Queene, before the pretended Mariage? Was there no Time, Occasion and Opportunitie to geue her Warning thereof, but by the terrible and feareful Blast and Sound of the martial Trumpet? For she, good innocent Ladie, hath, vpon her Honour, protested, and plainly declared (the which her Protestation also, the disorderly, ambitious and tragical Doinges of these rebellious and traiterous Subjects, do much helpe and confirme) that afore her Taking and Imprisonment, she neuer knew, who were either principal or accessarie, or by any Meanes culpable and blameworthy concerning the said Murther.

(43) † An Answere to the Third.

TOUCHING the third Point, it is not worthy the confuting: For these Men knew right wel, that the Queene had put her Sonne safe and sure inough in the Guarde and Custodie of the Earle of Murray (*Qu.* Marre). But see, I pray you, the Impudencie of these Men, and consider, how much it is to be mused and marueled at, who are not ashamed to publish by open Edictes and Proclamations,

that the Prince should be in more Securitie and Safegarde vnder the Protection and Keeping of the Regent and vsurping Rebelles, then vnder the Handes and bringing vppe of his owne most natural and deare Mother, with diuers other like vnnatural, ridiculous and absurd Propositions.

God blesse him, and graunt him no worse to speede, then this most tender and louing Mother daily wisheth, and continually praieth for; * who, good swete Babe, if he had Age and Discretion to vnderstand their Dooings, would geue the Earle Murray and his Fellowes but colde Thankes for the intruding of him, against his good Mother, vnto the Croune and Government of the Realme, but would and might wel say, that this was but a Colour, vnder his Shadow, to strengthen him (the said Earle) against his good Mother, and, perchance, against his owne selfe to.

* The Prince, if he were at Age, wold not like the Enemies Doinges against his Mother.

His owne vnnatural Coronation also (though these Men much bragge it solemnly and orderly to haue proceded) he would as much mislike. Neither would he buye it so deare, nor come foorth to be a King so unnaturally, as the Vipers enter into the World, eating and knawing out the Mother's Wombe. He would demaund and aske, what a strange newe found Solennitie, and fond Manner of Coronation this was? † For the Matter being of so great and weighty importance, of One hundred Earles, Bishoppes, and Lordes, and moe, that haue Voice in Perlament, wherof al, or the more Parte of them should haue an Agreement, Liking and Consent, as to al other, so to these publike Doinges also, there were no more present, but Fower Earles onely, whereof the most Honourable had not the seuenth or eigth Voice in Parla-

(44)

† He was unlawfully crouned.

ment among the Earles, nor yet the first of twentie Voices among al the States.

YE had farther but six Lordes, who also were such as had laied their violent Handes vpon their Quene afore, and put her in Prison. And least al should be voide, if they should seme to lacke their ful Congregation of the Spiritualitie and Temporaltie, in leapeth me one Bishop, and two or three Abbats and Priors. But yet were ther not solenne Protestations, I pray you, then openly made, and authentical Instrumentes thereof made also, that whatsoeuer was that Day done, either for the Coronation, or inuesting of the King, or for the establishing of a Regent,
(45) or otherwise against the Queenes royall Estate and Personne, it should not be to her in any Point hurtful or prejudicial, as being then violently deteined and imprisoned?

* Why the Confirmation of the Rebelles Doinges made by an Acte of Parlament, is nothing worth.

* WEL, you wil alleage, peraduenture, that al these Procedinges were ratified and confirmed by Acte of Parlament. Yet al this notwithstanding, this noble Impe (if he were at ripe Yeares) would, no doubt, acknowledge and allowe no suche disordered Parlament, but would enquire of you, what Authoritie you had to cal and sommon the said Parlament: He would say, that the ratifying of the said Dimission of the Croune by his Mother, is not allowable, or to be approued.

FIRST, bycause she was then in Prison, and not at her owne Libertie; next, bycause it was done by Violence, and forced with Feare of Life: And so whatsoeuer was builded upon this Foundation, being of such Weakenes and so vnstable, could neuer be firmly and surely established and corroborated. He would farther say, That diuerse

of the chiefe and most principal among the Nobilitie, namely the Earles of Argile and Huntley, with the Lorde Harris, would not in any wise accorde or agree thereto, otherwise then it should stand with the Queenes voluntarie Wil, voide and free from al manner Threatninges, Force and Violence. Whereof they did ful earnestly and solemnly protest, requiring their Protestations to be (46) enacted and recorded.

He would moreouer say, That he could in no wise wel like of that Parlament that should so dishonour his owne good Mother, and make her to be an infamous Princesse, hauing none other Ground and Proufe to leade them to do so, but only a few vncertaine Ghesses, and vnknowen obscure Letters. He would, no doubt, for al these Mennes vayne bosting and bragging of Justice and Quietnes, most tenderly lament, and wofully bewaile the miserable and pitiful Case and dolorouse State of that sely, poore, ragged and rent Realme, the wretched and infinite Robberies and Spoiles committed and done vpon the true loial Subjects thereof, being daily most greevously oppressed, and shamefully murthered, and the whole Realme so meruelously maymed, that the very outward Enemie doth sore lament to see it, or heare thereof, and that wilbe wondered at of all the Posteritie, so long as the World doth stand. He would yet say, That in case there had bene no Injurie offered, either to his Mother, or to any other, he would not such Miserie should, through him, or vnder his Name, be caused or occasioned, though he might purchase thereby the greatest Empire in the World.

Thus may euery Man see and perceaue, how disho- (47)

nourable and how disloyal your Actes and Doinges haue bene, and also how disagreable to your Sayings, Protestations and Pretenses; for ye pretended, at your first seditious Motion (as we haue declared) the Queenes Libertie and Honour, and that ye would duely and faithfully serue her: Which your Seruice what it was let your Doings declare.

YE make Pretense, That ye toke Armes chiefly for the Apprehension of the Earle Bothwel, and yet ye dismissed and let him go being present, and neuer (but long after, and coulorably) sought him.

YE pretended the Quietnes and peaceable Gouernment of the Realme. But the Realme was neuer these many Hundred Yeares so disquieted and turmoyled with so sore Stormes and blustering Tempests.

YE pretended at your first Inueiyng and Conference against your said Maistresse before the Commissioners of England,* That she finding herselfe vnable and vnmete to rule and gouerne her Realm and Subjects, voluntarily yelded vp, and surrendred the Croune. But the contrary is most apparently knowen, yea, you yourselues, about two Monethes after, quite forgetting your first Allegations, say, That the States of the Realme of Scotland depriued and deposed her: At what Time ye also made solemne, hypocritical, and cloked Protestations, how loth you were to publish and detect any Matter to her Dishonour. Whereto might be replied against you, aswel the Rule of the Law, that *protestatio contraria facto, non relevat*, as also the old Prouerb, *crocodili lachrymæ*, the false traiterous Teares of the hypocritical Crocodile.

* The Inconstancy of the Queenes Enemies, first pretending before the Counsaile of England her voluntary Dimission of the Croune, and afterward that she was deposed.

(48)

FIE therefore, and out vpon these your Crocodile

Teares, whereby you would perswade and make the Worlde belieue, that you wold redeme and saue her Honour with your perpetual Bannishment. And as for the Religion ye speake of, it were much to be merueled, and sore to be pitied, if it could not be mainteined and borne out, without suche foule, dishonest and outragious Meanes and Shifts. But al this your great Feare, least that Scotland otherwise shuld not be able to haue and beare the Countenance and Maintenance of a Kingdom, is mere, vaine, and altogether nedelesse. For why should you thus feare, hauing such a noble Queene lineally descending from the roial Race of the noble Kinges of Scotland, and inheriting the Croune therof of Right? She hauing bisides (God be thanked therfore) so goodly a noble Impe, when the Time and Law calleth him therto, to succede his Mother; vnlesse that you be M. Knoxes owne good Scholers, and such of his Affinitie, that haue set vp and erected a ioly new Schole, (as we haue declared) teaching, † That it is not lawful for a Woman Prince to haue Ciuil Gouernment. (49)

† A strange Doctrine of Mr. Knox against Woman's Gouernment.

THESE, and many the like Thinges, would this good and gratious Impe, reasonably, and like a good natural louing Childe, tel, and reproue you of, if he were of Discretion and Intelligence to weigh and consider your strange Procedings, and diuellish Dealinges against his most deare and tender Mother: Yea, he would tel you, That his Mother's inestimable and vnmeasurable Benefits were wel and worthely employed, and bestowed vppon suche a wicked and ungrate Generation.

HE would also say, and tell you, That you should purchase your selues smal Renoune, and litle Reward of

God or of the World, for this your false fained Patience, in hearing your selues called (and that ful worthely) Traitors and Rebelles. No more surely, then if ye had hard, as now ye must, (for this dainty Dish we haue reserued for you to the last Course) and so proued withal the Deuisers and Procurers of the shameful, vile, vilanous Murther of the noble yonge Lorde, the Lorde Darley, your owne Mastresse and Queenes most dere Husband, whose tender Hart neuer any worldily Thing so nigh and so depely pearced, as did this mischieuous Note.

* The Queenes Enemies fondly triumph of their Victory against her true Subjectes. (50)

* YE triumph and vaunt of your glorious Victorie, and of the vnmerciful Slaughter that you haue made vpon the Queenes most louing, loyal, and faithful Subjects. Ye valew, measure and rule thereby the Goodnes and Equitie of your Quarel and Cause. But this rule doth not alwaies holde, as neuer hauing Exception and Instance.

THE Israelites Quarel against the Tribe of Benjamin, rising vppon a Trueth and horrible Facte perpetrated and committed by the Gabaonits, whome the Benjamits did defende, and not vpon false fayned Doinges and outragious Ambition, as yours doth against your Souereigne, was a Thousand times better and more iust, then is this your pretensed Quarel and seditious Vprore: And yet the Benjamits gaue them a sore, greeuous and pitiful Ouerthrow.

AND surely it were no il Counsayle for you, to remember withal the olde Saying, *respice finem;* take good Hede what may fal out at the Ende. Ye do litle weigh and consider the greate Prouidence of Almighty God in this Facte, whereby he seemeth to haue prouided suche an indifferent Way, and so free from al sinister Suspition,

for the Prouf and Iustification of the Queenes Innocencie and Integritie, and for the Maintenance and Preseruation of her Name and Honour, (the which she estemeth and preferreth afore al earthly Thinges) and for your vtter Confusion and Shame, the like wherof could not by Man be found.

WHAT shal I then say to you? How shal I beginne, (51) or wherein to accuse you? Surely I may wel cry out, O Heaven, O Earth, O God, O Man, hearken, hearken to such a heighnous, diuelish Deuice and Drift, as, doubtlesse, neither Tragedy, nor any Record of Antiquitie can lightly report a more heinous: Hearken, I say, to this detestable and abhominable Facte. Hearken of Subjectes that haue consented vnto, and caused their owne Princes Husband to be slaine, and not contented to enjoye their owne Impunitie of so horrible and greeuouse a Crime, haue sought and inuented Meanes and Waies, willingly and wittingly to haue slandered therewithal their most innocent Maistresse and Souereigne, and haue most wrongfully and ful iniuriously cast her in Prison and spoiled her of all her princely Estate, being in a Readines euerie Howre to haue bereaued her of her Life and al: And, as they haue of themselues reported, haue bene of nothing more repentant and sorie, then that they haue not fully executed their purposed Mischiefe.

WE say then, no lesse boldly then truly, first, That the Queene, for this Facte, is far from al Fault. We say next, that ye Murray, and your Companions are the uery Deuisers and Contriuers of the Murther of this noble Gentleman your selues: But to disclose and open these Matters at the ful, it requireth a very large Scope

(52) and Discourse. Yet wil we, as briefly as the Cause wil suffer, prosecute the same. For the first Part that may suffice, that we haue already declared, and shal hereafter declare for her Innocencie.

Now before we procede to the Seconde, for the more euident and open Condemnation of these Men, let us imagine that to be done, that neuer was thought of her Parte to be done. * Let us imagine and suppose, that the Quene was therin guilty, as these Men most falsely and slanderously report: Yet are all these their Proceedings of no Validitie or Force, and she remaineth stil their Queene, and in her ful Authoritie, by good Reason and Lawe. The Zeale to punnish greate Crimes is commendable, so it be measured by Order and Lawe: For, as Aristotle saith, † *It is not inough to do* καλὸν, *a good Dede, vnlesse it be* καλῶς, *wel done also.* The one whereof respecteth the Fact, the other the Forme, Manner and Fashion, the Qualitie, Meanes and Order of the doing thereof, *quia forma dat esse rei.* This Forme and Fasshion of wel doing hath not ben obserued in your Proceedings; for it cannot be wel done, that is vnlawfully and disorderly done. If it had ben but a pore priuate Man's Cause, for the Lacke of dew and conuenient Forme in the treating and handling thereof, the whole Proceedinges had ben of none Effecte or Purpose. ‡ The Lawes of wel ordered Common-wealthes, especially the Ciuil Lawe, the Principal and Mastresse of all other ciuil Policies and Ordinances, do require, in al Judgements to be geuen against the Defendant, Three seueral and distinct Persons, the Judge, the Accuser, and the Witnesses. *The Defendant hath the Benefit of just and lawful Exceptions,

* In case the Q. were culpable, yet ar her Enemies Procedings vnlawful.

† It is not inough to do a good Thing, vnlesse it be wel done.

‡ The Law geueth Ex-
(53) ceptions to the Defendant, against the Judges, the Accusers, and Witnesses.

* *C. qui accusai non po.*

as wel against the Judge, as against the Accusers and Witnesses. Eche of whom may be rejected for open Enmity toward the Defendant, and for diuers other Causes. Accusers may be repulsed, some for that they have receaued a singuler Benefit of the Partie Defendant, as a Bondeman manumitted and made free, in case he will accuse his Patrone and Manumisser, or, if a Man will accuse his Educator and Bringer vppe: Some, for Nearnes in Blood and Consanguinity, as the Brother; some, for naughtie and infamous Behauiour, and some for other Respectes. *L. iniquum, & L. fin. L. qui accusat, ff. de accus.*

SHAL these vngrateful Traitours then, that iustly neither can be Judge nor Accuser, nor asmuche as witnesse against their Souereigne (and to them a most gratious Quene) by any Reason or Lawe, play themselues al the Three Parts in the Tragedie? For they haue, in al these their worshipful Procedinges against her, made such a Hotchepoche, such a Minglemangle, suche a confuse and disordered Chaos, against Justice and Nature, that they themselues were the Accusers, they themselues the Witnesses, they themselues the Judges and Examiners of her Cause. (54)

Is there any honest-meaning and gentle-natured Harte, that can once patiently abide and suffer to hear these their taunting and intolerable outragious Inueyings and Accusations, especially of the Earles Murray and Murton, the Capiteines, Ringleaders, and chief Practitioners thereof against her, to whome they are most depely bound, aswel for high Preferment undeserued, as for diuers Pardons of Death, by manifolde Treasons worthely deserued? To whom the one of them is by Nature and Blood (albeit base) as a Brother, entierly conjoyned; and to whome they both ought to be, with the rest, as

to their Liege Ladie, most loially subjected. Shal they now, with the Lord Lindzay, be admitted to staine and defile her honour, to seeke her Hart's Blood, who long sithens had worthely lost their ingrate, chorlishe, traiterouse Blood, if they had not been preserued by her singuler and incredible Clemencie?

YET let us consider their precise and most holy Forme of Judgement. The Queene was disorderly and rebelliously apprehended, she was cast in Prison, not once heard to answer for herselfe, most instantlie and pitifully craiuing Audience. She was forced and constrained by most vehement and iust Feare to geve ouer her Croune, and
(55) dimisse the Regiment to the Earle Murray. One great Argument of the said Constraint and Compulsion, among other, is, *that she neuer readde such Writinges, as were offered to her, to be by her subscribed, nor entred into any Couenant or Talke for the Maintenance of her Liuing, or Safeguard of her Life; which Thing she would neuer by any indifferent Man's Judgement haue done, if she had freely and uoluntarily yelded vp her regal Dignity. Neither can the pretensed Parlament be prejudicial to her, standing vpon no better nor surer Ground, then vpon such as we haue rehearsed, and vpon such worshipful Letters missiue, as are by them, I cannot tel, more falsly, or more fondly, counterfeited. Surely such Traitours, as durst laye violent Handes vpon their Queene, and intrude themselues into the regal Gouernment, will make but smal Curtesie in the faining and forging a Letter, thereby to worke their purposed Mischiefe.

* A good Argument, that the Queene, by Compulsion, dimissed the croune.

I would then farther demand of them, what Authoritie they had to somon and assemble a Parlament? And

whether this Fact of hers, supposing she were therein guilty, deserueth in her, being a Prince, and considering how heinously the Lorde Darley had offended her and the Croune of Scotland, such extreme Punishment to be leuied vpon her, for one simple Murther; especially by them that committed that shameful Murther vpon her Secretarie, that haue committed so many Treasons, and (56) daily do committe so many horrible Murthers vpon the Quenes true louing Subjectes. How many and how cruel and terrible Deathes do such Traitours deserve?

We haue moreover to demaund of them, whereas they pretende a merueilous and a singuler Zeale to Religion and Holy Scripture, and to measure al their Doinges precisely by Scripture and Order thereof, what sufficient Warrant they haue therein, by their priuate Authoritie to set violent Handes vpon their anointed Prince? I find ther, that King Dauid was both an Adulterer, and also a Murtherer. I finde that God was highly displeased with him therfore; yet find I not, that he was therefore by his Subjectes deposed. And here might I take Occasion, out of the sacred Scriptures, to declaime and discours against your disordered Doinges; but that it is nedelesse, and our Matters otherwise growe long.

But yet considèr ye with your selfe, you the Earles Murray and Murton, with your Consociats, that euen adjudging the Queene were culpable, and in some Fault, as she is not in this Matter, whether it had not ben much better, and more auaileable to your Commonwealth, and to the State thereof, prudently to haue dissembled the Matter (as your Forefathers have heretofore done in a greater Cause then this, namely, in *Duke

*The Duke Robert of Scotland.

(57) Robert the Gouernour, King Robert's Brother) then to have permitted your Common-wealth to haue commen into so miserable and wretched a State, as it is now fallen in, and dayly like to be in worse Case and worse. I suppose it will be found, that it had ben a much better Policie to haue reserued the Punishment thereof to God's owne Rodde and Justice, in this, or in another Worlde, then to haue taken from him that he hath reserued to his owne only Judgement, and to haue geuen to the Subjects of other Princes suche a wicked President, that if these other Subjectes treade fast upon your Steppes, there wil shortly fewe Kinges and Princes haue any sure and fast Hold of their Sceptre and roial Dignitie.

We conclude then against you (speake and doe the worste by her that ye can inuent) that your Proceedinges be not agreable or correspondent to Law, Order and Justice, and therfore to be reuoked and adnulled: We say, that the common Rule of the Lawe ought here to take place, *spoliatus ante omnia restituendus est*, vnlesse where all Lawes, aswel God's as Man's Lawe, doe fauor and preferre Princes Causes with singuler Priuileges and Prerogatiues, ye haue now espied out a newe Law, whereby Princes shal haue and enjoye lesse Benefits and Preeminences in their owne Defence, then other priuate Persons.

(58) We say, that for these and many other good and necessary Considerations, all is voide that ye haue busied yourselues about: We say, that all your Dooinges ought to be remoued, reuersed, and clearly annulled, and the Queene, wrongfully by you displaced, to be restored to her State and former Dignitie and Honour. Then let the whole Matter be, if there be any iuste Cause, before com-

petent and meete Judges, to sitte vppon a Prince, justly and orderly heard and determined: For as for you, especially the Earle Murray and Murton, ye are to be charged and chalenged, byside al other iust Exceptions, euen as the principal Inuentours, Mainteiners, and Workers of this shameful and cruel Murther, for the whiche ye haue made al this Hurly-burly, and, as I may say, stirred Heauen and Earth against your owne very natural Prince.

NEITHER may the Lord Lindzay be heard or suffred to intermedle against her, if Lawe take Place, for diuers his Demerites, among which he standeth charged, aswel for that, that he was one of the chiefe Instrumentes in the Slaughter of the Queenes Secretarie Dauid, as also in the apprehending and imprisoning of her Grace.

BUT I much muse and merueyle, how the Bishoppe of Orkney, for Shame, coulde so presumptuously and heinously inueigh and declaime before the Commissioners of Englande against his Maistresse pretensed Mariage with the Earle Bothwell, seeinge that he himself did (59)
celebrate the Solemnitie thereof; who also was your onely Bishop that was present at the Coronation of your newe erected King, a Man moste apte and ready to serue all Worldes and Turnes.

AGAINST you the Earle Murton, bysides the Murther of the Queenes Secretarie, and of the Lorde Darleye her Husbande, there are many juste Exceptions and Chalenges to be layed and taken, aswell of other Misdooinges, as of manyfolde and apparent Treasons, which ye seeme to haue sucked with your Mother's Milke, ye haue ben a Traitour so often times to your Prince and Souereigne.

*BUT the Earle Murray it is, whom, aboue all other, *Exceptions most iust against the

Queenes Accusers, but specially against the Earle of Murray.

we haue to charge and burden. His base Natiuitie, his baser Conditions, the notable Saying of the foresayd Cassius, *cui boni?* the Trade of all his former Life, will much stayne and presse him; if wee doo well weygh and marke the weyghtie Presumptions that be euident and playne against him. I will make my Beginning with the greate and vnnatural Vnkindnesse and Ingratitude, by him shewed to his dear Sister, and his louing and most bountiful Maistresse and Souereigne.

†The great Benefits emploied by the Q. upon the said Earle.

†At what Time she minded, after the Death of her first Husband the French Kinge, to repaire into her owne Realme of Scotland, she sent forthwith for him into France, and vsed his Aduise and Counsel in al her Affairs, even as she did also after her Returne into Scotland, so farre, that she had but, as it were, the Name and Calling, he bearing the very Sway of the Regiment, by her intituled to, and honoured and adorned with the Earldome of Murray, and at length, by one Meanes or other, furnished with so greate and ample Possessions, that, bysides other Commodities and Aduantages, the yearely Rent thereof passeth and surmounteth the Summe of Twenty and six thousand Poundes, after the Rate of their Money.

(60)

‡ He went about to entaile the Croune of the Realme to himself and the Stewardes

‡ Behold now the Thankfulnes of this good and grateful Nature! He laboured and endeuoured al that he possibly could, to withholde the Queenes Mind, and stay her from al manner of Mariage, and to entaile the Croune of the Realme vnto himself, (though he were illegitimate and vncapable therof) and to the Name and the Blood of the Stewards: But when he saw and throughly perceaved, and wel knew that the Queene was fully minded and earnestly bent, and had now determined

to joyne herself in Mariage with the Lorde Darley, he practised Meanes, by his Assistance and Procurements, to haue slayne him and his Father, and to haue imprisoned her at Lochleuen, and to haue usurped the Gouernement himselfe, as he now doth.

* BUT now, when he saw this his Intent and Purpose disclosed and preuented, and that the Solemnization of the Mariage was already past, he shewed himself with his Adherents in open Field, and in Armies against the Queene his Maistresse; wherevpon he was driuen to flee into England. At which his there Abode, he instantly solicited and besought for Aide against his Souereigne, which was worthely denied him. (61)

* His Rebellion against the Quene.

† THEN beganne he to practise with the Earle Morton, by his Letters and Messengers, about the detestable Slaughter of Dauid the Queenes Secretarie, who by their mischieuous Sleights and craftie Persuasions, induced the Lorde Darley, promising him to remoue the Quene from the medling with al politike Affaires, and actually to put him in Possession of the Croune, and of the Rule and Gouernement of the Realme, to joyne with them in this traiterous Conspiracie against the Queene his moste deare and louing Wife, and moste dreade Soueregne; wherevpon the Murther was in most horrible and traiterous Wise committed in the Queenes owne Chamber of Presence, vpon him violently plucked from the Queene: ‡ She also being cruelly menaced and fore threatned, hauing also a charged Pistolet set to her Belly, being then greate with Childe, and then remoued from her priuie Chamber into another, where she was kepte as Prisoner.

† His Conspiracy with them that slewe the Secretarie Dauid.

‡ A charged Pistilet set to the Queenes Belly.

THE young vnexpert and rash Lord Darley, who being (62)

blinded with outragious Ambition, could not forsee the diuelish Drifte of these craftie Merchants, beganne now, but almost to late, to espie it; and seeing himselfe as nigh the Danger as was his Wife the Queene, repaired to her moste humbly asking her Pardon of his heinous Attempt, and pitifully crieng out to her, to prouide and finde out some present Way to preserue themselues both: * Who, by the Queenes politike Industrie, was priuily with her selfe conueied away out of the Rebelles Danger; and by him this wicked Drifte, and the Driuers and Contriuers thereof were discouered to the Queene.

* The Q. by her Industrie conueied her selfe away with the Lord Darley.

But lo, the next Day after this Slaughter, the Earle Murray entred into Scotland, and repaired to the Queene with as faire a Countenance as though he had ben cleare, as wel for that Fact as for al other Treasons, wherof the gentle and merciful Quene pardoned him, admitting him againe into her Grace's Loue and Fauor. † Wherat the L. Darley much misliking, and vehemently repining, feared that he would be, as he was indede, when he saw his Time, revenged upon him, bycause he was of him detected to the Quene, for being one and the chiefe of the Counsailers, Aiders and Assisters in the Conspiracie about the Murther of the Secretarie now committed.

† The Cause why the E. Murray hated the Lorde Darley.

(63) These and the like Imaginations so depely sanke into and pearced the yong Man's Harte, that he finally resolued with himself, by one Meanes or other, to ridde the Earle Murray out of the Way. Whereabout he went so farre forth, that he communicated his Purpose to the Quene, who did most highly mislike therewith, and most vehemently deterred him from the said his Intent: Yet did he break the Matter farther as to certain other Noble-

men, by whome at the last it was reuealed to the Earle Murray. Wherfore the Earle did continually after beare him a deadly Enmitie and Hatred. Whereupon at length, al other Attempts failing him, this execrable Murther was by him the said Earle Murray, and by the Earle Murton first deuised, and afterward, in such strange and heynous Sort as the Worlde knoweth and detesteth, most horribly practised and put in Execution.

WHAT? Peraduenture some Man wil say, Of al the Men in the Worlde the Earle Murray is farthest of from al Manner of Spot and sinister Suspicion touching this Matter; for he was not at the Court when this Murther was committed: And when the Queene was apprehended he was out of Scotland. And who did drive out of Scotland the Earle Bothwel but the Earle Murray? Who is he that hath taken so much Paines and Trauaile, to boult, and find out, and execute such as were culpable therein, (64) but the Earle Murray?

INDEEDE, for his bodily Presence at the Deede doing, I wil nothing affirme; he must yelde the Price thereof to his Companion the Earle Bothwel. He must be contented for his Share, with the Preeminence and Prerogatiue of his special deadly Foade towarde the Lorde Darley, and preposterous Policie and Witte, so closely and so smothly to conuey and compasse it, and beare out with so greate Cquntenance so heinous a Facte, and to reward himself for his Paines taken therein, with the Extrusion of his Maistresse and Queene, and Intrusion of himself, though absent, to the Regiment and Gouernment of the whole Realme.

THIS, this, I say, may sufficiently serue him for the Aduancement of his Commendation and Praise, and for

the Signification of his fine politike Head and Invention: I meane, for that, before his Departure out of Scotland into France, with his Matchiauel's Practises, he had so conningly contriued the whole Matter with his Faction, that they shovld procure not only the Earle Bothwel to be acquited of the Murther, but, for his good Seruice, to be rewarded with the Quenes Espousalles, intending, by this mischieuous Policie, the vtter Vndoing and Ouerthrow,
(65) aswel of him the Earle Bothwel, as of the Queene herself also.

THERE neuer lacked good Wil in them, as it wel appeareth by their vngratious Doings, to haue long before ouerthrowen their said Maistresse: But there euer lacked apparent Matter to blinde Mens Eyes withal, and to make her odiouse with the People. Now these wily Men wel knew, that if they might once compasse, and bring this Mariage to passe with the Earle, * whome they intended then as fast to blase abrode for the Murther by him committed, as they did suppresse the same before from their good Ladie and Queene, vntil they had brought her to the Baite, it would seeme very probable, not only to the Eyes and Judgement of the rude and common People, but also of many sage, graue, wise, and learned Men, that she was priuie of her Husband's Death; whereby they might pretende one execrable Acte against her, that al Men would detest and abhorre, to colour and cloke their rebellious Treacheries. Lucifer himself could not haue fetched a finer and a more mischieuous and diuelish Fetche, then herein these Men haue done.

* The Cause why the Enemies did impute the Slaughter to the Q.

As for the Earle Murraies Absence, it doth nothing releaue or excuse him; yea, it is singulerly to be noted and

† The Working of Murray in the Time of his Absence.

marked, that his very Journeyes lacke not their fine Fetches to serue his Turne. Through his first Jorney into France, he wan and purchased the high Loue and Fauour of his (66) benigne Maistresse. He returneth out of England, at the very Point seruing two Turnes at once: By th' one thereof, to circumuent his good innocent Ladie, thinking to make her beleue, by reason of his Absence, that he was farre from the Societie of that Conspiracie; by the other to assist the better with his Presence the Confederates, and sodenly to joyne with them, as he did.

I graunt, that he was absent bodily at the Facte doing, but yet nothing was done, the whiche was not by his Counsel or Agreement concluded: The which his Deuise was so horrible, that it caused the Murther of his Souereignes Secretarie, her Imprisonment by her owne Husbande, that the Queene being greate with Childe, was put in suche a Feare, as might haue tended to the present Danger of her Life and of her Childe; yea, the very Scope of this diuelish Drifte was, euen to haue ouerthrowen him also, whome they made their vnhappie and vnlucky Instrument, to ouerthrowe and depose his owne louing Wife and moste dread Souereigne.

THESE Mysteries ful stuffed with such mischieuous Purposes, lo, wrought this Earle in this Time of his Absence. Now it is to be considered, that about Sixtene Houres before the Lorde Darley was slayne, the better to colour the Matter he departed from the Court: About twoo Monethes after, he toke his Journey into France, leauing (67) the Earle Bothwel as his most entier and trusty Frinde, recommending al his Causes and Affaires to him before al other.

At his second Returne from France, he intrudeth himselfe into the Scepter Roial, vnder the Name and Shadowe of the yonge Prince. The which Thing was so imagined, inuented and deuised, long ere that he departed, and in his Absence, by his trustie Frinds remaining in Scotland, accordingly accomplished and executed.

The Queene was afterward apprehended, and cast into Prison at Lochleuen, where his Mother and Brother dwelleth: Vnto the which Fortresse she should haue ben sent, as we haue said, at the first Conspiracie of the said Murray, if their malitious Mind and Intent had not ben disapointed by the Prouidence of God.

Now what Searche, when, and after what Sorte it was made for the said Earle Bothwel, we haue already declared.

If ye alleage farther, and say that no Man can denie, but that the said Earle Murray made also long, diligent, and narrow Search for the Murtherers, and did seuerely punish them. To this we replie and say, * that he needed not to trauaile muche, or farre, for the sewing out of this Matter; for he might at al Times haue found the Heades of the Conspiratours vpon the Earle Murton's and his owne Shoulders.

* Murray and Morton the Heades of the Conspiracy against the L. Darley. (68)

We say farther, that as it is a strange and new Kind of Deuotion in the Earle Murray, so to quarel for Lacke of Solennitie at the Burial of him, for whose said Burial he longed and loked for so long: So we say likewise, that it seemeth wonderful, to loue him so tenderly, being deceased and dead, whome he so depely hated liuing; and to seke so seriously and seuerely to punish the Murtherers of him, whome he would so oft haue murthered himselfe.

THIS Geare seemeth (to us poore, simple and slender-witted Men) vnlikely, incredible, and halfe repugnant to Nature. And whatsoeuer the Cause be, we be of that Minde, that it is not likely to procede of any feruent Zeale or greate Affection he beareth to the Partie, or to the Execution of Justice.

YE are, good Reader, desirous, peraduenture, to learne what other Cause there might be of so strange Dealing. Wel, as strange as it is, we lacke not Examples of the like craftie and subtile Policie, * as well in holy Scripture, and in the Monumentes of Antiquitie of diuers other Countries, as of Englande, and especially of Scotlande itselfe.

* 2 Machab. 3, and 4.

WE finde then in holy Scripture, that there was one Onias at Hierusalem, the high Priest, a Man of singuler Vertue and Perfection, and one that meruelously tendered God's Honour, and the Honour and Wealth of his Countrey. There was also at the same Time one Simon, a very euil-disposed and wicked Creature, whiche went about certaine naughty and wicked Deuises, but seeing that he could not atchiue his mischieuous Purpose, by reason this blessed Man Onias stayed, stopped, and preuented him, he practiseth this wicked Deuise: He causeth Kinge Seleucus to be infourmed of the great and inestimable Treasure remaining and reposed in the Temple at Hierusalem; whereupon the King sent Heliodorus to fetch away by Force the said Treasure. (69)

But afterward, when this Purpose chaunced to be frustrated and voyde, by reason that this Heliodorus, being wonderfully plagued of God, was constreined to forbeare and relinquish this Enterprise, and the People

also wonderfully offended and in a great Rage, to see such a heinous Sacrilege attempted: What doth now, thinke ye, this good and honest Man Simon? Surely he plaieth the same Parte that the Earle Murray hath played with his most gratious Queene, openly charging the good innocent Onias with his owne shamefull Acte, and saying, that he solicited and incensed the King to robbe and spoile the Temple.

(70) We finde in the Chronicles of our Realme, that albeit Vortiger, aspiring to the Croune of the Realme, actually and really obteined the same by the murthering of King Constance (whiche was not done without his craftie Incensing, and priuie Consent) yet he pretended outwardly great Sorrow, weeping and lamenting the Murther of him, the which he neuerthelesse longed for, and was the Occasion of the same.

The Earle of Murray resembled to Dunwaldus, that procured the Slaughter of King Duffus in Scotland.

* Hect. Boet. Lib. II.

* As for Scotland, I reporte me to the tragical Historie of King Duffus slayne by a Nobleman named Dunwaldus, who was in great Estimation and Autoritie with the said King. When the King was a Bedde in the Castle, wherof this Dunwaldus had the Keeping, he banketed his Chamberlaines, and so oppressed them with immoderate Surfeiting and Drinking, that when they were once gotten about high Midnight to sleape in their Beddes, ye might haue rong a great Bel ouer their Heads, long ere they wold wake: Who being in their dead and depe Sleape, the King was murthered and slaine by such as this Nobleman had suborned. His dead Body was caried away and buried in a Riuer. The Labourers that buried him, were also slaine, that they might tel no Tales. In the Morning the King was missing, his Bed was found

imbrued with blood. His drousy druncken Chamberlaines, that least knew of the matter, were had in greatest Suspicion, and without farther Delay, by the said Dunwaldus, like a Man zelouse to punish Malefactours, were slaine and put to Death. No Man being farther, a great While, from Suspicion, then he, vntil first his owne ouer busie * searching for the Murtherers, and afterward other Thinges bread vppon him such Suspicion, that he was therevpon apprehended, and being found guilty, worthely executed. (71)

* Idem Lib. 16.

† THE like Pranck plaied Duke Robert, Brother to the King of Scotland, and Gouernour of the Realme, of whome we spake before. He procured the Prince his Nephew to be made away and murthered, and yet pretending himself as holy, as Murray doth, to be zealouse in the punishing of such an heinous Facte, caused certaine innocent persons to be executed therefore.

† The like Parte plaied by Duke Robert in Scotland.

WE say then, that the Earle Murrayes Dooinges proceede not from any great Care he hath to the Maintenance of Law and Justice, who is moste culpable himselfe, but only colourably to cloke and hide his owne mischieuous Treacheries, and to turne the Blame of the Fault from himselfe, vppon his good Ladie and Queene, from whose Personne it is farthest. Whereof they themselues gaue, in Manner, plaine Testimonie and Witnesse; for though they had openly, in their pretensed and disordered Parlament, detected her thereof, yet before the Englishe Commissioners they alleaged other Matters, as her voluntarie Resignation of the Croune, &c. The whiche Allegations, when they wel sawe would not serue their Turne, and that Men did vnderstand, how and after (72)

what Sorte they had proceeded against her in Scotland, they were, as it were, *driuen and forced, being excluded from al other apparent Shiftes, after seuen or eight Weekes Aduisement, after their first Inuectiue, to objecte the said Facte against her.

* The Earle Murray and his Fellowes being driuen from al other Shiftes, at lenth laied to their Quene the Death of the Lorde Darley, before the Counsaille of England.

WHEROF the good innocent Queen hearing, and astonied at their strange and contumelious Canuasinges and Impudencie in their Dooinges, and being sith her Apprehension credibly enformed, and by Apparencie of Matter and Proufe therof, lead and induced to beleue and geue Credit, that this wicked Enterprise was chiefly inuented and compassed by the Earles Murray and Murton, made earnest Sute, by her Commissioners, to arrest them, that they should not shrink away and depart, vntil they had answered that Matter for themselues, whiche she fully intended most effectually to prosecute against them and others; and so did accuse them indede by her Commissioners, and desired farther, that she might comme in her owne Personne before the Nobilitie and the Ambassadours of other Countries there resident, and goe foreward with, and prosecute her said Accusation against them.

(73) WHEREOF they hearing, they fretted, they fumed, they stamped, they stared, and for a smal While made much hot Sturre; but when they had wel considered and digested the Matter, loking in their owne Breastes, they became vpon the sodaine so colde, that they thought every day an hundred, vntil they were packing Home, and neuer ceassed, alleaged many vaine and friuolouse Excuses, to vrge their Dimission moste importunately, until they had at the last obtained their Sute.

O that Cassius were now liuing, that he might lay to

the Earle Murrais Charge, his accustomed worthy Saying, *cui bono?* He would tel him, that as the Queene by this Facte had no Manner of hoped Commoditie, and is of ouer good and vertuous Disposition and Nature, in any Respect of worldly Commoditie so to dishonour herselfe and State; and euen as th' Earle Murraies Birth and natural Inclination were most apt and mete to worke such naughty Practises, so were there many Occasions also for his Parte, such as he had best Liking and Contentation to, of the putting of the same in Practise.

* The Causes why the Earle Murray went about aswel to make away the L. Darley as to depose the Queene.

* AMONG other Thinges, it pincheth him and al his Faction, and greeueth them to the uery Hart, to remember the Reuocation the Quene had made the April before, of al such Thinges as appertaine to the Croune, that had by herself, or others in her Minoritie, ben alienated. Which Reuocation, by an old Law and Order in Scotland, the Princes ther may make before the Accomplishment of Twenty and fiue Yere of Age. Now had the Earle Murray and his Faction, by one Meanes or other, gotten into their Handes and Possession, Two Parts of the yearly Reuenewes of the whole Croune. (74.)

SEE, see, I pray thee, good Reader, if this were not the uery undoubted Cause, that made him and them so pitiful and so tender-harted towarde the L. Darley being dead, whose Death they had so long thirsted for, and whose Life they had, by so many Snares and mischieuous Waies, assaulted and laied Wait for.

YEA, there was a farther *cui bono?* then this. They thought to driue, by their joly politike Practises, al the Displeasure and Hatred of the Facte vpon the Queene;

and so, for this pretensed mischieuous Facte to driue her from the Possession of her Croune, and to intrude themselues, by some pretie colourable Conueiances, into the sole intermedling with al the publike Affaires, and to the Gouernement of the Realme, vnder the Title of the good Infant the Queenes Sonne, and to assure their Possessions to themselues, at leaste the Space of Twenty and five Yeares more. But I pray God there be not a farther and a worse Fetche then al this cometh to.

(75) WEL then, al their foretolde Purposes hath the Diuel brought to passe for them, euen according to their Harts Desire, sauing that he oweth them a Shame, and wil pay it them when they count themselues most cocke-sure, and beginneth (as it seemeth alredy) ful properly to pay them home euery one Day more then other. For as close and as secrete as they hid and kept their Doinges from the World, especially from their good Quene, vntil they had quitted th' Earle Bothwel, and coupled him most dishonourably with that vpright and welmeaning Ladie in pretensed Mariage, they could neuer bring their Matters to passe. And for al their vaine bragging and outfacing (as it were) their innocent Souereigne, their whole wicked Drift is detected, burst out, and come to the certeine Knowledge of no smal Number of Men.

Is it vnknowen, thinke ye the Earle of Murray, what the Lord Harris said to your Face openly, euen at your owne Table, a few Daies after the Murther was committed? Did he not charge you with the Foreknowledge of the same murther? Did not he, *nulla circuitione vsus*, flatly and plainely burden you, that you riding in Fiffe,

and comming with one of your moste assured trusty Seruants the said Day wherein you departed from Edenborough, said to him, among other Talke, * This Night ere Morning, the Lorde Darley shal lose his Life?

* The Earle Murray declared the Day before, that the Lord Darley should be slaine.

* Is it not ful wel knowen, thinke ye, that ye and the Earles Bothwel, Morton, and others assembled at the Castle of Craigmiler, and other Places, at diuers Times, to consult and deuise vpon this Mischief? If Neede were, we could rehearse and recompte to you the whole Summe and Effect of the Oration made by the most eloquent among you, to stirre vp, exhorte and inflame your Faction then present, to determine and resolue themselues to dispatche and make a Hande with the L. Darley.

(76)

* Divers Assemblies of the Earle Murray and his Adherents, to consult upon the Slaughter of L. Darley

† We can tel you, that there were interchangeable Indentures made and subscribed by you, that he which had the best Opportunitie offered to make him away, should furthwith take it in Hande, and dispatche him.

† Indentures made and subscribed for the Execution of the said Purpose.

We can tel you, and so can Fiue thousand and moe of their owne Hearing, that John Hepborne the Earle Bothwel's Seruant, being executed for his and your traiterous Facte, did openly say and testifie, as he should answere to the contrarie before God, that you were principal Authors, Counsailers and Assisters with his Master of this execrable Murther, and that his said Master so tolde him, and farthermore, that he himselfe had sene the Indentures we spake of.

‡ We can tel you, that John Haye of Galoway, that Powry, that Dowglish, and last of al, that Paris, al being put to Death for this Crime, toke God to recorde, at the Time of their Death, that this Murther was by your Counsayle, Inuention and Drift committed, who also

‡ Diuers executed in Scotland for the said Murther, whereof none could charge the Queene.

(77)

declared, that they neuer knew the Queene to be participant or ware thereof.

WEL, we can farther tel you of the greate Goodnes of God, and of the mightie Force of the Trueth, whereby, though ye have wonderfully turmoiled and tossed, though ye haue racked and put to Death aswel Innocents as Guiltie, your owne Confederats, and offred many of them their Pardons, so they would depose any Thing against the Quene; God hath so wrought, that as for no Torments nor fayer Promises they could be brought falsly to defame their Mastresse, so without any Torments at al they haue voluntarily purged her, and so layed the Burden upon your Necks and Shoulders, that ye shal never be able to shake it of.

WE can tel you, That England doth wel knowe these your detestable Practises, neither wil suffer itselfe to be spotted with the fauouring and assisting of your abhominable Doinges.

WE can tel you, that this good Ladie is vnjustly accused, and wrongfully oppressed, as good Susanna was.

WE can tel you, that ye altogether resemble the two old wicked Gouernors that wrongfully accused her, as an Aduoutresse, being the Aduouterers themselues, and
(78) brought her into Danger of present Death by their false Testimonie, (as ye haue done with your wel-intending Queene) for that she would not consent and yelde to the old lusty leacherous Rebels.

WE can tel you, that if you do not the soner repent, ye see, by example of them, what your Rewarde shal be, and that in the meane while, God hath so wonderfully deliuered out of your Handes this our innocent Susanna, as

euer he did the other from them; for though she were kept so straight in a strong Fortresse and Castle, with Watche and Warde in such Sorte, that none of her Wel-willers and Frinds, no not so much as the Frenche Kinges Ambassadors might be suffered to come at, or to speake with her,* though she were daily guarded by greate Nomber, though the Gates were euery Euening surely and customably locked, and the Keies thereof were continually, Night by Night, deliuered to the Lord of the said Castle, though the Botes were continually fastened and locked vp; yet God so wrought, that the Keies of the said Castle were, in the said Lord's very Presence, taken away by a poore, orphan, simple Boy, being not yet Eightene Yeares olde, bred alwaies and brought up in the same House. Which Feate by him wrought, and a Token or Signification geuen therof to the Quene, she departed out of her Prison-house into the Courte thereof at Seuen of the Clocke at night, vpon the second Day of Maie, and so passing, went to the (79) Gates unlocked and opened by the said orphan Boye, who taking Bote also, rowed her and her Waiting-maide withal, with much adoe, ouer the Water.

*The Q. in a manner miraculously delivered out of Lochleuen Prison.

WHO hauing now passed the Water, was on the other Side received by certaine Gentlemen, and by them conueied and conducted to Hamilton, where she, before her Nobilitie, reuoked, annihilated, and made voide al that she did in Prison before, with solemne Protestation upon her Othe, That she was violently forced thereto, and put in iust Feare of the Losse of her Life.

AFTER this, it pleased God to put her in Minde to take her Journey into England, aswel for the special and comfortable Promises to her made before her Coming, by

Messengers, Letters and Tokens sent from the best there, both comforting and promising her (Opportunitie seruing) al conuenient Succour and Helpe, as that we Englishemen (which must needes honour and reuerence her, who is of the next Roial Blood, and true Heir apparent of the Croune of this Realme of England) should thoroughly knowe and fully vnderstand, to oure greate Comfort, her Purenes, Integritie, and Innocencie in the Matter, under Pretense wherof her traiterous and rebellious Subjects, thereby to accomplish their seditious and ambitious Minds and Purposes, haue molested, vexed and dis-
(80) quieted her in the Manner aforesaid, and now at the last kepe her, not only from her Croune and Realme, but from al whatsoeuer, either her priuate or other Goods, as vnwilling that she should either kepe the State and Porte of a Prince, or any other meaner Estate whatsoeuer.

NEITHER hath it altogether fallen out contrary to her Expectation and Desire: For the Nobles of England, that were appointed to heare and examine al such Matters as the Rebels should lay against the Queene, haue not onely found the said Queene innocent and guiltlesse of the Death of her Husband, but doe withal fully vnderstand, that her Accusers were the very Contriuers, Deuisers, Practitioners and Workers of the said Murther; and haue farther also so much encreased, and in suche wise renued the good Estimation and greate Hope they alwaies had of her, * now perfectly knowing her Innocency, and therto moued through other princely Qualities resplendent in her, with many whereof she is much adorned and singulerly endued, that they haue in most earnest wise solicited and entreated, that she might be restored againe to her Honour and

* The Commissioners appointed in England to heare the Quene of Scotland her Maters, wel liked of her said Innocency, and of her Title to the Succession of the Croune.

Croune. They haue moued the said Quene of Scotland also, that it may please her to accept and like of the most noblest Man of all England, betwene whome and her there might be a Mariage concluded, to the Quieting and Comforte of both the Realmes of England and Scotland.

FINALLY, the Noblemen of this our Realme acknowledge and accept her for the very true and right Heire apparent of this Realme of England, being fully minded and alwaies ready (when God shal so dispose) to receaue and serue her as their vndoubted Queene, Maistresse and Souereigne; whereby it may easely appeare how wel they like of her Cause, that had the Hearing and Trial of the same, although they neuer as yet came in her Presence. (81)

THESE Things now, and many other (which, for the eschuing of Prolixitie, we forbeare to enlarge our Treatise with) may be alleaged for the Defence of the Queenes Integritie, and for the Uprightnes of her Cause, the whiche I would wishe you the Earles *Murray and Murton, with your allied Confederats, before al other, most deeply and by times to weigh and consider accordingly, as the Weight and Greatnes of the Cause, as your owne Safety, with the Welth and Honor of your owne natiue Countrey do require. I am not ignorant, that the Matter is gone very farre with you, and that many Impedimentes doe concurre to withdraw you to seeke that Remedy for Reformation of Things past, which is the best and the only Remedy: But surely, when ye haue fully weighed al Things on euery side accordingly, ye shall finde no sure and sound Remedie, but in making a true, a sincere, and an vnfained humble Submission to your gratious Queene, whom ye haue so greeuously offended and molested. (82)

*An Exhortation to the Earles Murray and Murton, and others, to reconcile themselves to the Q.

LET not the Greatnes or Number of your Treasons wrought against both your Quene and Countrey, let not any vaine, false imagined Opinion, either of the Shame of the World, or of your vtter Ouerthrowe, by reason of suche fond Presumption of your present high Estate, of your great Power, Force and Strength; let no vaine Expectation of external Succours, stay or stop you from so necessarie a Duetie, and so commendable before God and the Worlde. *Ye best knowe, that among al the princely Ornamentes and Vertues of your Queene, her Mercy and Clemency are singuler and peerlesse. She seemeth well to haue learned that Lesson of the Gospel, "*If thy Brother doe offend thee, forgeue him, not onely Seaven Times, but Seauenty Times Seauen Times.*" She will not onely forgeue, but forget also.

*The Q. of Scotland ful of Mercy.

SHE neither is ignorant in what State her Realme standeth in, nor that extreme Seueritie, from the which she naturally abhorreth, is not of al other Times now (against suche as wil imbrace Mercie offered to them) to be shewed and practised. She wil rather like the Lawe of ἀμνησίας, Oblivion and Forgetfulnes, so much of the Writers commended, the great Benefite wherof ye haue so often and so abundantly receaued at her Handes; and therfore ye neede the lesse to feare the Discontinuance of your high and honourable Estate and Condition. As for Shame, it standeth in the Evil-doing itself, and not in the amending and reforming of il Deedes, which Amendement and Reformation if ye earnestly and truely mind, it wilbe to the great Contentation of your most gratious Queene, and of al her louing Subjects; and in so doing you shal both highly auaunce your

(83)

honourable Estate and Estimation, and make her a good Amends for that which is past, and cannot be reuoked.

But on the other Side, if ye geue over and refuse this Occasion now present, and go forward with your rebellious Enterprises and Attempts, minding to abide and trie the vttermoste ; ye must wilfully cut away and exclude from yourselfe al good Hope of Mercie and Pardon, and take a wrong Way for your owne Safetie and Preseruation: For your Cause is naught, and so ye well know it to be ; and therfore can ye not loke to haue and obteine a good prosperous Successe and Ende thereof. Wel ye may, as hitherto ye haue done, tosse, turmoile and tumble al things vpside dounewards for a While ; but be ye assured, that God's Hande wil fal and light the heuier, and with a greater Paise upon you at the length therefore. *It is easy to be seen by the Course of all Times, aswel by your owne uery Stories at Home, as by the Chronicles of al other Nations abrode, to what Ende commonly such seditious Conspiracies and Treasons do come to, that is, to the vtter Ouerthrow and Confusion for euer of those Persons that worke, attempt, practise and mainteine the same. They seeme for a While to beare great Sway, and al the World for a While to runne with them ; but in the Ende they faile, and are cleane geuen ouer.

*The Ende of Rebels euer unhappy.

(84)

What Meruaile were it, if a House should not long continue, that is builded but upon a yelding sandy Grounde? Ye haue builded and founded al your Doinges upon vntrue and lying Slaunders, and treacherous Treasons against your dread Souereigne. The sincere Veritie whereof we haue herein truely declared. The

which being once throughly detected, and evidently knowen to such as ye haue in Scotland craftily abused, and shamefully circumuented (as surely it daily bursteth out more and more) ye shal see your selues sodenly leaft naked, and quite forsaken, euen of those who haue bene your greatest Assisters, Aiders, and Furtherers: For as the old Prouerbe is, *Truethe is the Daughter of Time.* And as ye shal be leaft alone at Home, so can ye not looke for Maintenance and Vpbearing of foraine Princes. They will not defile themselues and their honourable Vocation with helping so foule a Cause, and so dangerous and perilous a Matter, that may tende to the Molestation and Hurt, not only of their owne State, but of the States of all Kinges christened.

*Other Princes will not suffer the Quene of Scotland to be injuried by her Subjectes

*NAY, ye must rather thinke, that other Princes wil judge and take it to touch them to nigh, to suffer such a Vilanie to passe and escape vnreuenged, and so good a Ladie to be left destitute and desolate. The Emperour will not beare it, France will not beare it, Spaine will not beare it; and especially England, with her worthy Nobilitie, wil not beare or suffer such outragious Dealinges against their next louing Neighbour, yea, against the Heire apparent of this most noble Realme, albeit that ye, with your surmised Lyes, the better to mainteine your vsurped and new-erected Kingdome, put others in Feare of their own State, in case the said innocent Queene should be restored to her Croune againe.

APPENDIX.

APPENDIX.

Appendix A.—Page 41.

In the Cotton MSS. (Caligula, C. I. fol. 206,) is a contract, supposed to be the pretended original which was produced of the short contract under the hand of Mary; and if it be so, the want of correct resemblance in the signature to the genuine subscription of Mary furnishes the most convincing evidence of that actual forgery of the letters, which the total disappearance of the rest renders it impossible to demonstrate with regard to them. But Mr. Laing is quite positive that this is only a copy, written by some clerk, and given to Cecil, and that the signature was added by some person afterwards; and, as I do not wish to build my narrative from any really disputable materials, I have omitted all mention of it in the text, though it may not be amiss to devote a few words to the question here.

Mr. Laing's arguments are few, and may be very briefly enumerated.

1. He avers that "It begins like a transcript at the top of the page, without the least appearance or form of an intended original." (I. 373.) At the present day, this argument might,

perhaps, hold good; but, as almost *all* the genuine letters of Mary, now in the British Museum, begin at the extreme top of the paper, as may be seen by any one who takes the trouble to inspect them, I cannot see that the circumstance can, in any way, aid Mr. Laing's position.

2. He adds, "It is written in the ordinary secretary hand of the age, which Crauford mistook for a Chancery hand, and appears to be nearly, if not exactly, in the same handwriting with other papers given in by the regent." (I. 373.) It must be admitted, that this is the strongest point against the position that this is the pretended original. But it should be remembered, that the secrecy which was always maintained with regard to these papers, the care which was taken to prevent the friends of Mary from seeing them, and the extreme haste with which they were despatched to Scotland, when she demanded an inspection of them, and promised to answer to them if this were granted, all lead us to suspect very strongly that the forgery was not sufficiently perfect to bear inspection. And it should, moreover, be observed, that there is not the slightest evidence that copies of the pretended French originals of the papers were ever given to Cecil—among whose documents the one in question is preserved; while, on the other hand, the fact, that translated copies were placed in his hands, renders it very improbable that he ever had copies of the French.

3. Mr. Laing again asserts, that the signature is "in a different hand and ink, and has, apparently, been superinduced at a later period." (I. 375.) But this rests entirely upon his own conjecture; for, so far as I can see, the ink is the same; and how it could be proved, by mere inspection, that the signature was added a few years afterwards, I really cannot conceive.

4. But this imaginative writer goes yet further; and, in order that he may strike at the root of the evil at once, asserts, that there is no proof that the reputed original was signed; in confirmation of which, he avers that it was inserted in

Buchanan's Detection without date or signature. In Buchanan's Detection, the only portion of it which we can discover is, "Nous Marie par la grace de Dieu, &c.;" and it would be rather unreasonable to expect a signature to that; while, on the other hand, the words "la presente signée de ma mayn,"* which occur in the paper itself, seem to prove as clearly as any words can do, that the original really purported to be signed, and must outweigh all feeble conjecture at the present day.

5. With regard to this signature, the slightest inspection shows it to be a forgery, though a very clumsy one. The M is longer than the rest of the letters, which is never the case in Mary's genuine signature; but the *a*, the *r*, the *i*, and the *e*, are obvious attempts at imitation; and the R is peculiarly so; a small stroke, which Mary always placed over it, being copied with the minutest care.

6. And, finally, the evidence of Morton's receipt for the letters and papers in the casket, which has been adduced by Mr. Laing, to show that the contract in question went back to Scotland with the other papers, proves the direct contrary to that which he produces it to confirm. This receipt was penned in 1571, when Morton was about to return to England, and xxi is the number of papers which the casket was then declared to contain; and upon this Mr. Laing remarks, that, "in addition to eight letters and *eleven* sonnetts, the two contracts are precisely necessary to complete the number." (I. 376.) But in this the historian is guilty of a falsification of the fact, in order to suit the purpose of the moment; for the sonnets were *twelve* in number,† (though the twelfth was an imperfect one,) and eight letters, *twelve* sonnets, and two contracts, would be just one too many. Since, then, it is evident that one of the papers was wanting, and since we have no reason to suppose that either of the sonnets or letters were left in England, while reason does exist for believing that one of the contracts was,

* Apud Anderson, II. 92. Goodall, II. 54.

† See them in Appendix C. Anderson, II. 115. Goodall, II. 45.

I think we may conclude, that the short contract was the paper; the absence of which reduced the number to xxi.

For my own part, I have not the slightest doubt that this is the pretended original of the contract, though I am very willing to admit, that the evidence on the subject is far from being clear or decisive; but it is really a point of very slight importance, since it would be almost impossible to strengthen that vast fabric of evidence which has been raised from internal evidence, to prove, beyond the reach of doubt, the forgery of the letters.

Appendix B.—Page 60.

"Any person conversant with the language and writings of Queen Mary's time, and even after that period, will see that, from the long and continued intercourse and connexion between the French and Scotch nations at that time, the Scotch language abounded with Gallicisms, and even with French words; some of which, though now almost worn out in our writings, yet remain to this day in our language, especially among the vulgar. Mr. Hume himself, and every other Scotchman, knows well what the vulgar mean by giving a *bonne allée*, or parting cup; also, in the same sense, giving one's *foy*. To give a *bennison*,* or blessing, is still a vulgar phrase; and the *beggar's bennison* is universally known in Scotland. Old people still give the name of *montre* to a watch; and a *jardelou*, or *gare de l'eau*, I believe, is pretty well understood in Edinburgh even at this very day. I shall also give a few instances from the writings of those times. In the Earls of

* So in Melvil's Address to his Son, "To whose gracious providence I commit thee with the hearty well wishes and Benison of thy dearly-loving Father."

Huntly and Argyle's Protestation, Lethington says, "Tak you na care we sall fynd an *moyen* to mak her quit of him." Queen Mary, in answer to Murray and Morton's accusation of her, says, "They have meschantlie sclanderit her." Secretary Lethington, confessedly the best Scotch writer of that time, in his letter to Cecil, the English Secretary, useth the word *appuy*, for support.* In James Melvil's Memoirs, (p. 96,) "others of the *finest* of them persuaded the Regent." By the word *finest*, in this place, is meant the most subtle, cunning, or penetrating genius, from the French word, *fin*, subtle, and *un finet*, a cunning or subtile man, a word not known or used in English either in writing or common speech, at this day. In the very next page of Melvil, "He desired the accusation to be *rendered* up to him again." And Secretary Cecil useth this phrase, "And because it was *bruited*," *i. e.* rumoured.†

"LIST OF THE FRENCH WORDS USED IN THE SCOTTISH LANGUAGE."

SCOTCH.		FRENCH.
Geen.	*The wild cherry.*	Guigne.
Orloge.	*A clock.*	Orloge.
Gigot.	*A leg of mutton.*	Gigot.
Latheron.	*A dirty slut.*	Laideron.
Spuil bone, Spaule.	*Shoulder blade.*	Épaule.
Spalder.	*To stretch the arms.*	Épauler.
Dames.	*The game of draughts.*	Dames.
Wallees.	*Saddle bags.*	Valise.
Corby.	*A raven.*	Corbeau.
Crouels.	*King's evil.*	Ecrouelles.
Tache.	*A stain.*	Tâche.
Canelle.	*Cinnamon.*	Canelle.
Reefort.	*A radish.*	Raifort.
Aspet.	*A plate.*	Assiette.
Kiles.	*Nine pins.*	Quilles.

* Keith, 233.

† Tytler's Enquiry, I. 222, 224.

SCOTCH.			FRENCH.
Chamber o'dice.			Chambre à dais.
Bennison.	*Blessing.*		Bennison.
Malison.	*A curse.*	from	Maleir (*Cotgrave*).
Amry.	*A cupboard in the wall.*		Armoire.
Dousse.	*Meek, mild.*		Doux.
Dour.	*Hard, stubborn.*		Dur.
To fash.	*To trouble.*		Fâcher.
Fasheous.	*Troublesome.*		Facheux.
To maltreat.	*To use ill.*		Maltraiter.
To marguilly.	*Tear to pieces.*		Margouiller.
Marokin.	*Morocco leather.*		Maroquin.
To briss.	*To crush.*		Briser.
To dival.	*To slope, or run down.*		Devaler.
Lippie.	*Quarter of a peck.*		Lippee.
Fawsoned.	*Smooth in address.*		Façonné.
A chanler.	*A candlestick.*		Chandelier.
A howtowdie.	*A cockerel.*		Estoudeau.
To galash.	*Cover a shoe.*		Galoche.
Grosert.	*A gooseberry.*		Groseille.
Calcul.	*A computation.*		Calcul.
To prig.	*Cheapen, wrangle about.*		Briguer.
Hallon shaker.	*A ragged fellow.*	from	Haillons.
Broulyie.	*A quarrel, confusion.*		Brouillis.
To croup.	*To crouch down.*		Croupir.
Napery.	*Table linen.*		Nappe.
Woodefeu.	*A firebrand, incendiary.*		Boutefeu.
A plack.	*A small coin.*		Plaque.
Ree.	*Drunk.*		Gris.
To fleech.	*Fawn, or cajole.*		Flechir.
The burden.	*Drone of baypipe.*		Bourdon.
A choppin.	*A quart.*		Chopine.
A paionie.	*A peacock, or turkeycock.*		Paon.
To tape.	*To keep in reserve.*		Tapir.
A jupe.	*A petticoat.*		Juppe.
Eel d'oly.	*Olive oil.*		Huile d'olives.
Somber.	*Gloomy.*		Sombre.
Veste.	*A waistcoat.*		Veste.
Remeed.	*Remedy.*		Remede.
Vivers.	*Victuals.*		Vivres.
To crevy.	*To burst.*		Crever.
Canaillie.	*The mob.*		Canaille.
Leet.	*A select list.*		Elite.

SCOTCH.		FRENCH.
A rouser.	*A watering pot.*	Arrosoir.
Tass.	*A cup.*	Tasse.
Gantress.	*A stilling.*	Chantier.
Lettrin.	*A desk.*	Lutrin.
Bouet.	*A lantern.*	Boete a chandelle.
Sucker.	*Sugar.*	Sucre.
Spirling.	*A smelt.*	Esperlan.
Nourrice.	*A nurse.*	Nourice.
Stank.	*A pool.*	Etang.
Bacheleer.	*A bachelor.*	Bachelier.
Fizen.	*The essence or strength of a thing.*	Foison.
Disjune.	*A breakfast.*	Dejeuner."

—*Tytler*, II. 420—422.

I may, perhaps, be permitted to add a few to the many and valuable examples which have been thus collected by the learning and diligence of Mr. Tytler. Among the words classed in Anderson's Glossary, we have Pasementit, *laced*, from passement; delatit, *accused*, from delation, and depeches, which is itself a French word; and the vocabulary of obsolete words, in the edition of Melvil of 1683, gives brangled, *turmoiled*, from branler. The constant use of French words and derivatives by the enemies of Mary, has been already noticed in the text.

Appendix C.—Pages 65, 325.

It will, doubtless, be agreeable to the reader to be enabled, while perusing the arguments with respect to the letters, to turn to the documents themselves, and verify the statements of the text by referring to the original papers; and I have, therefore, determined, notwithstanding the space which they will occupy, to annex them in the present form.

"THE WRYTINGIS AND LETTERIS FOUND IN YE SAID CASKET, QUHILK AR AUOWIT TO BE WRITTIN WITH YE QUENE OF SCOTTIS AWIN HAND.

"CERTANE Frenche Sonettis writtin be ye Quene of Scottis to Bothwel befoir hir Mariage with him, and (as it is said) quhile hir Husband leuit, bot certanely befoir his Diuorce from his Wyfe, as ye Wordis thameselfis schaw, befoir quhome scho heir preferris hirself in deseruing to be louit of Bothwell.

"O Dieux, ayez de moy Compassion,
Et m'enseignez quelle Prouue certain
Je puis donner, qui ne luy seemble vain
De mon Amour & ferme Affection.
Las! n'est il pas ia en Possession
Du Corps, du Cœur, qui ne refuse Paine,
Ny Deshonneur, en la Vie incertaine,
Offense de Parentz, ne pire Affliction?
Pour luy tous mes amis i' estime moins que rien,
J'ay hazardé pour luy & Nom & Conscience;
Je veux pour luy au Monde renoncer:
Je veux mourir pour luy auancer.
Que reste il plus pour Prouuer ma Constance?

"Entre ses Mains, & en son plein Pouuoir,
Je metz mon Filz, mon Honneur, & ma Vie,
Mon Païs, mes Subjectz, mon Ame assubiectie,
Est tout à luy, & n'ay autre Voulloir
Pour mon Obiect, que sans le Deceuoir
Suiure je veux malgré toute l' Enuie
Qu' issir en peult: Car je n'ay autre Enuie
Que de ma Foy, luy faire apperceuoir
Que pour Tempeste ou Bonnace qui face,
Jamais ne veux changer Demeure ou Place.
Brief je feray de ma Foy telle Preuue,
Qu' il cognoistra sans fainte ma Constance,
Non par mes Pleurs, ou fainte Obeyssance,
Comme autres ont fait, mais par diuers Espreuue.

" Ille pour son Honneur vous doibt Obeyssance,
Moy vous obeyssant j' en puis receuoir Blasme,
N'estant, à mon Regret, comme ille vostre Femme.
Et si n'aura pour tant en ce Point Préeminence.
Pour son profit elle use de Constance,
Car ce n' est peu d' Honneur d' estre d' voz Biens Dame ;
Et moy pour vous aymer j' en puis receuoir Blasme :
Et ne luy veux ceder en toute l' Obseruance.
Elle de vostre mal n' a l' Apprehension,
Moy je n' ay nul Repos tant je crains l' apparence.
Par l' Aduis des Parentz elle eut vostre Accointance,
Moy malgré tous les miens vous porte Affection,
Et de sa Loyauté prenez ferme Asséurance.

" Par vous, mon Cœur, & par vostre Alliance
Elle à remis sa Maison en Honneur ;
Elle à jouy par vous la Grandeur
Dont tous les Siens n' ayent nul Asseurance :
De vous, mon Bien, elle à eu la Constance,
Et à gaigné pour vn temps vostre Cœur.
Par vous elle à eu Plaissir en bon Heur,
Et pour vous à receu Honneur & Reuerence,
Et n'a perdu si non la Jouyssance
D' un fascheux Sot, qu' elle aymoit cherement.
Je ne la playns d' aymer donc ardamment,
Celuy qui n'a en Sens, ny en Vaillance,
En Beauté, en Bonté, ny en Constance
J'ioint de Seconde : Je vis en ceste Foy.

" Quant vous l' amiez elle usoit de Froideur,
Sy vous souffriez pour s' Amour Passion,
Qui vient d' aymer de trop d' Affection,
Son Doig monstroit la Tristesse de Cœur,
N' ayant Plaisir ne vostre grand Ardeur,
En ses Habitz monstroit sans Fiction,
Qu'elle n'auoit Paour, qu' Imperfection
Peust l' effacer hors de ce loyal Cœur.
De vostre Mort je ne vis la Peaur
Que meritoit tel Mary et Seigneur.
Somme de vous elle à eu tout son Bien,
Et n' à prisé ny jamais estimé
Vn si grand Heur, si non puis qu'il n'est sien,
Et maintenant dit l'auoir tant aymé.

" Et maintenant elle commence à voir,
Qu' elle estoit bien de mauuais Jugement,
De n'estimer l' Amour d' vn tel Amant,
Et voudroit bien mon Amy deceuoir
Par les Escriptz tout fardez de Scavoir,
Qui pourtant n' est on son Esprit croissant,
Ains emprunté de quelque Autheur eluissant.
A faint tres bien vn Enuoy sans l'Auoir
Et toutes fois ses Parolles fardez,
Ses Pleurs, ses Plaincts, remplis de Fictions,
Et ses hautz Cris & Lamentations,
Ont tant gaigné qui par vous sont gardez,
Ses Lettres escriptes ausquelz vous donnez Foy,
Et si l' aymez, et croyez plus que moy.

" Vous la croyez, las ! trop je l' appercoy,
Et vous doutes de ma ferme Constance,
O mon seul Bien, & mon seul Esperance,
Et ne vous puis asseurer de ma Foy.
Vous m' estimez legier qui le voy,
Et si n' auez en moy nul Asseurance,
Et soupconnez mon Cœur sans Apparence,
Vous defiant à trop grand tort de moy.
Vous ignorez l' Amour que je vous porte,
Vous soupconnez qu' autre Amour me transporte,
Vous estimez mes Parolles du Vent,
Vous depeignez de Cire mon, las, Cœur,
Vous me pensez Femme sans Jugement :
Et tout cela augmente mon Ardeur.

" Mon Amour croist, & plus en plus croistra
Tant que je viuray, & tiendray à Grandheur
Tant seulement d' auoir part en ce Cœur,
Vers qui en fin mon Amour paroistra,
Sy tres à clair que jamais n' en doutra.
Pour luy je veux recercher la Grandeur,
Et feray tant qu' en vray cognostra,
Que je n'ay Bien, Heur, ne Contentment,
Qu' à l' obeyr, et seruir loyaument.
Pour luy j' attendz toute bonne Fortune.
Pour luy je veux garder Santé et Vie,
Pour luy tout Vertu de suyure j' ay Enuie,
Et sans Changer me trouuera tout' vne.

" Pour luy aussi je jette mainte l'arme,
Premier quand il se fist de ce Corps Possesseur,
Duquel alors il n'auoit pas le Cœur.
Puis me donna un autre dur Alarme,
Quand il versa de son Sang mainte Dragme,
Dont de Grief il me vint lesser Doleur,
Qui m'en pensa oster la Vie, et Frayeur
De perdre, las, le seul Rempar qui m'arme.
Pour luy de puis j' ay mesprisé l' Honneur
Ce qui nous peult seul pouruoir de Bonheur.
Pour luy j' ay hazardé Grandeur et Conscience,
Pour luy tous mes Parentz j' ay quité, et Amis,
Et tous autres Respectz sont apart mis.
Brief de vous seul de cerche l' Alliance.

" De vous je dis seul Soustien de ma Vie,
Tant seulement je cerche m'asseurer,
Et si ose de moy tant presumer,
De vous gaigner magré toute l' Enuie.
Car c'est le seul Desir de vostre chere Amie,
De vous seruir, et loyaument aymer,
Et tous Malheurs moins que riens estimer,
Et vostre Volonté de la mien suiure.
Vous cognoistrez auecques Obeyssance
De mon loyal Deuoir n' omettant la Sciance,
A quoy je estudiray pour tousiurs vous complaire,
Sans aymer rien que vous, soubz la Subjection
De qui je veux sans nulle Fiction
Viure & mourir, & à ce je obtempere.

" Mon Cœur, mon Sang, mon Ame, & mon Soucy,
Las, vous m' auez promis qu' aurons ce Plaisir
De deuiser auecques vous à Loysir.
Toute la Nuict, ou je languis icy,
Ayant le Cœur de extreme Paour transy,
Pour voir absent le But de mon Desir.
Craint de Oublir un coup me vient à saisir:
Et le autre fois je crains que rendurcie
Soit contre moy vostre amiable Cœur
Par quelque dit de un meschant Rapporteur.
Vn autre fois je crains quelque Auenture
Qui per chemin detourne mon Amant
Par vn fascheux & nouueau Accident.
Dieu, detourne toute malheureux Augure.

" Ne vous voyant selon qu'avez promis,
Je ay mis la Main au Papier pour escrire
De vn Different que je voulu transcrire.
Je ne scay pas quel sera vostre Aduis,
Mais je scay bien qui mieux aymer scaura,
Vous diriez bien que plus y gaignera."

" O Goddis, haue of me Compassioun,
And schaw quhat certane Prufe
I may give, quhilk sall not seme to him vane,
Of my Lufe and feruent Affectioun.
Helas! is he not alreddy in Possessioun
Of my Body, of Hart that refusis na Pane
Nor Dishonour in the Lyfe uncertane,
Offence of Freindis, nor worse Afflictioun?
For him I esteme all my Freindis les than nathing,
And I will haue gude Hope of myne Enemeis.
I haue put in hasard for him baith Fame and Conscience,
I will for his saik renounce the Warld,
I will die to set him fordwart:
Quhat remanis to gif Prufe of my Constancie?

" In his Handis and in his full Power
I put my Sone, my Honour, and my Lyfe,
My Countrie, my Subjectis, my Saule, all subdewit
To him, and hes nane uther Will
For my Scope, quhilk without Dissait
I will follow in spite of all Invy
That may ensew: For I haue na uther Desyre,
Bot to mak him persaif my Faithfulnes,
For Storme of fair Wedder that may cum,
Neuer will it change Dwelling or Place.
Schortly I sall giue of my Treuth sic Prufe,
That he sall knaw my Constancie without Fictioun,
Not be my Weiping, or fenzeit Obedience,
As uther haue done, bot be uther Experience.

" Scho for hir Honour awis zow Obedience:
I in obeying zow may ressaif Dishonour,
Not being (to my Displesure) zour Wyfe, as scho;
And zit in this Point scho sall haue na Preheminence.
Scho usis Constancie for hir awin Profite,
For it is na lytill Honour to be Maistres of zour Gudis.
And I for luifing zow may ressaif Blame,
And will not be ouercum be hir in loyall Observance.
Scho hes na Apprehensioun of zour Evill,
I feir sa all appeiring Evill, that I can have na Rest.
Scho had zour Acquentance be Consent of hir Freindis,
I aganis all thair Will haue borne zow Affectioun;
And not the les (my Hart) ze dout of my Constance,
And of hir Faithfulnes ze haue firme Assurance.

" Be zow (my Hart) and be zour Aliance
Scho hes restoirit hir Hous unto Honour,
Be zow scho is becum to that Greitnes
Of quhilk hir Freindis had never Assurance.
Of zow (my Welth) scho gat the Acquentance,
And hes conqueist the same tyme zour Hart.
Be zow scho hes Plesure and gude Lucke,
And be zow hes ressauit Honour and Reverence,
And hes not loist bot the Rejoysance
Of ane unplesand Fule quhilk scho luifit deirly.
Then I moane hir not to lufe ardently
Him that hes nane in Wit, in Manheid,
In Bewtie, in Bountie, in Treuth, nor in Constancie,
Ony Second: I leif in the Beleif.

" Quhen ze luifit hir scho usit Cauldnes,
Gif ze sufferit for hir Lufe Passioun,
That cummis to greit Affectioun of Lufe:
Hir Sadnes schew the Tristesse of hir Hart,
Taking na Plesure of zour vehement Burning.
In hir Cloithing scho schew unfenzeitly
That scho had na Feir, that Imperfectioun
Culd deface hir out of that trew Hart.
I did not see in hir the Feir of zour Deith,
That was worthy of sic Husband and Lord.
Schortly scho hes of zow all hir Welth,
And hes neuer weyit nor esteme it
One sa greit Hap, bot sen it was not hirs,
And now scho sayis that scho luifis him sa weill.

" And now scho beginnis to se
That scho was of verray euill Judgement
To esteme the Lufe of sic ane Luifer,
And wald fane dissaif my Lufe
Be Wrytingis and paintit Leirning,
Quhilk not the les did not breid in hir Brane,
Bot borrowit from sum feat Author
To fenze ane Sturt, and have nane.
And for all that hir paintit Wordis,
Hir Teiris, hir Plaincts, full of Dissimulatioun,
And hir hie Cryis and Lamentatiounis,
Hes won that Point, that ze keip in Stoir,
Hir Letteris and Wrytingis, to quhilk ze gif Traist,
Zea, and luifis and beleuis hir mair then me.

" Zow beleif hir (helas!) I persaif it to weill,
And callis in dout my firme Constancie:
(O myne only Welth, and my only Hope)
And I can not assure zow of my Treuth.
I se that ze esteme me licht,
And be na Way assurit of me,
And dois suspect (my Hart) without ony appeiring Caus,
Discrediting me wrangously,
Ze do not knaw the Lufe I beir to zow.
Ze suspect that uther Lufe transportis me.
Ze think my Wordis be bot Wind.
Ze paint my verray Hart as it wer of Waxe.
Ze imagine me ane Woman without Judgement;
And all that incressis my Burning.

" My Lufe incressis, and mair and mair will incres
Sa lang as I sall leif, and I sall hald for ane greit Felicitie
To haue only Part in that Hart,
To the quhilk at lenth my Lufe sall appeir
Sa cleirly, that he sall neuer dout.
For him I will stryve aganis wan Weird,
For him I will recerse Greitnes,
And sall do mekle, that he sall knaw
That I haue na Welth, Hap, nor Contentatioun,
Bot to obey and serue him trewly.
For him I attend all gude Fortune,
For him I will conserve Helth and Lyfe,
For him I desyre to ensew Courage,
And he sall euer find me unchangeabill.

" For him also I powrit out mony Teiris,
First quhen he maid himself Possessor of this Body,
Of the quhilk then he had not the Hart.
Efter he did giue me ane uther hard Charge,
Quhen he bled of his Blude greit Quantitie,
Throw ye greit sorrow of ye quhilk come to me that Dolour
That almaist caryit away my Lyfe, and ye Feir
To tyne the only Strenth that armit me.
For him sen I haue despisit Honour,
The Thing only that bringis Felicitie.
For him I have hazardit Greitnes and Conscience,
For him I have forsakin all Kin and Freindis,
And set asyde all uther Respectis,
Schortly I seik the Aliance of zow only.

" Of zow, I say, only Uphalder of my Lyfe,
I only seik to be assurit;
Zea, and dar presume sa mekle of my self,
To wyn zow in spite of all Invy:
For that is the only Desyre of zour deir Lufe
To serue and lufe zow trewly,
And sa to esteme all wan Hap les then nathing,
And to follow zour Will with myne,
Ze sall knaw with Obedience,
Not forzetting the Knawlege of my leill Dewtie, [zow,
The quhilk I sall studie to the Fine that I may ever pleis
Loving nathing bot zow, in ye Subjectioun
Of quhome I will, without ony Fictioun,
Leif and die; and this I consent.

" My Hart, my Blude, my Saule, my Cair,
Helas! zow had promysit that I suld have yat Plesure
To deuise with zow at Leysure.
All the Nicht quhair I ly and languische heir,
My Hart being ouerset with extreme Feir,
Seing absent the Butte of my Desyre.
Feir of forzetting sumtyme takis me,
And uther tymes I feir that lufesum Hart
Be not hardinit aganis me
Be sum Saying of ane wickit Reporter:
Uther tymes I feir sum Auenture,
That be the Way suld turne abak my Lufe
Be sum troublous and new Accident.
O God, turne abak all unhappy Augure.

" Not seing zow as zow had promysit,
I put my Hand to the Paper to wryte,
Of ane Difference that I haue willit copy.
I cannot tell quhat salbe zour Judgement,
But I knaw weill quha can best lufe,
Ze may tell quha sall wyn maist."

"Ane Letter writtен be hir from Glasgow to Bothwell, proving hir Hait to her Husband, and sum Suspiciounis of practising his Deith, quhilk Letter was writtin in French, and heir ensewis translatit Worde for Worde.

"*Il semble qu' auecques vostre Absence soit joynt le Oubly, ceu qu' au partir vous me promistes de voz Nouuelles. Et toutes foys je n' en puis apprendre, &c.*

" It adpeiris, that with zour Absence thair is alswa joynit Forzetfulness, seand yat at zour departing ze promysit to mak me Aduertisement of zour Newis from Tyme to Tyme. The waitting upon yame Zisterday, causit me to be almaist in sic Joy as I will be at zour returning, quhilk ze haue delayit langer then zour Promeis was. As to me, howbeit I have na farther Newis from zow according to my Commissioun, I bring the Man with me to Craigmillar upon Monounday, quhair he will be all Wednisday, and I wil gang to Edinburgh to draw Blude of me, gif in the meane Tyme I get na Newis in ye contrarie fra zow. He is mair gay then euer ze saw him; he puttis me in Remembrance of all Thingis yat may mak me beleve he luifis me. Summa, ze will say yat he makis Lufe to me: Of ye quhilk I tak sa greit Plesure, yat I enter never where he is, bot incontinent I tak ye Seiknes on my sair Syde, I am sa troubillit with it. Gif Paris bringis me that quhilk I send him for, I traist it sall amend me. I pray zou aduertise me of zour Newis at lenth, and quhat I sall do in cace ze

be not returnit quhen I am cum thair, for in cace ze wirk not wysely, I se yat the haill Burding of this will fall upon my Schoulderis. Prouide for all Thing, and discourse upon it first with zour self. I send this be Betoun, quha gais to ane Day of Law of the Laird of Balfouris. I will say na farther, saifing that I pray zow to send me gude Newis of zour Veyage. From Glasgow this Setterday in the Morning."

"ANE UTHER LETTER TO BOTHWELL, CONCERNING THE HAIT OF HIR HUSBAND, AND PRACTISE OF HIS MURTHER.

"*Estant party du Lieu ou je auois laissé mon Cœur, il se peult aysément juger quelle estoit ma Contenance, veu ce qui peult vn Corps sans Cœur, qui à esté Cause que jusques à la Disnée je n' ay pas tenu grand Propos, aussi Personne nes' est voulu aduancer jugeant bien qu'il n'y faisoit bon, &c.*

"BEING departit from the Place quhair I left my Hart, it is esie to be judgeit quhat was my Countenance, seing that I was euin als mekle as ane Body without ane Hart, quhilk was the Occasioun that quhile Denner-tyme I held Purpois to na Body, nor zit durst ony present thameselfis unto me, judging yat it was not gude sa to do. Four Myle or I come to the Towne, ane Gentilman of the Erle of Lennox come and maid his Commendatiounis unto me, and excusit him that he come not to meit me, be ressoun he durst not interpryse the same, becaus of the rude Wordis that I had spokin to Cuninghame, and he desyrit that he suld cum to the Inquisitioun of ye Mater yat I suspectit him of. This last Speiking was of his awin Heid, without ony Commissioun. I answerit to him, that thair was na Recept culd serue aganis Feir, and that he wald not be affrayit, in cace he wer not culpabill, and that I

answerit bot rudely to the Doutis yat wer in his Letteris. Summa, I maid him hald his Toung. The rest wer lang to wryte. Schir James Hammiltoun met me, quha schawit, that the uther Tyme quhen he hard of my cumming, he departit away, and send Howstoun to schaw him that he wald neuer haue beleuit that he wald haue persewit him, nor zit accompanyit him with the Hammiltounis. He answerit, that he was only cum bot to see me, and yat he wald nouther accompany Stewart nor Hammiltoun, bot be my Commandement. He desyrit that he wald cum and speik with him: He refusit it. The Laird of Lusse, Howstoun, and Caldwellis Sone, with XL. Hors or thairabout, come and met me. The Laird of Lusse said, he was chargeit to ane Day of Law be the Kingis Father, quhilk suld be this Day, aganis his awin Handwrit, quhilk he hes. And zit notwithstanding, knawing of my Cumming, it is delayit. He was inquyrit to cum to him, quhilk he refusit, and sweiris that he will indure nathing of him. Never ane of that Towne come to speik to me, quhilk causis me think that thay ar his, and neuertheles he speikis Gude, at the leist his Sone. I se na uther Gentilman bot thay of my Company. The King send for Joachim Zisternicht, and askit at him quhy I ludgeit not besyde him, and that he wald ryse the soner gif that wer; and quhairfoir I come, gif it was for gude Appointment, and gif ze wer thair in particular, and gif I had maid my Estait, gif I had takin Paris and Gilbert to wryte to me, and yat I wald send Joseph away. I am abaschit quha hes schawin him sa far, zea, he spak euin of ye Mariage of Bastiane. I inquyrit him of his Letteris, quhairintill he plenzeit of the Crueltie of sum; answerit, that he was astonischit, and that he was sa glaid to se me, that he beleuit to die for Glaidnes. He fand greit Fault that I was pensiue. I departit to Supper. Yis Beirer wil tell zow of my Arryuing. He prayit me to returne, the quhilk I did. He declairit unto me his Seiknes, and that he wald mak na Testament, bot only leif all Thing to me, and that I was the Caus of his Maladie, becaus of the Regrait that he had that I was sa strange unto

him. And thus he said, ze ask me quhat I mene be the Crueltie contentit in my Letter; it is of zow alone that will not accept my Offeris and Repentance. I confes that I haue failit, bot not into that quhilk I euer denyit, and siclyke hes failit to sindrie of zour Subjectis quhilk ze haue forgeuin. I am zoung. Ze wil say, that ze haue forgeuin me oft tymes, and zit yat I returne to my Faultis. May not ane Man of my Age for Lacke of Counsell fall twyse or thryse, or in Lacke of his Promeis, and at last repent himself, and be chastisit be Experience? Gif I may obtene Pardoun, I protest I sall neuer mak Fault agane. And I craif na uther Thing, bot yat we may be at Bed and Buird togidder as Husband and Wyfe, and gif ze wil not consent heirunto, I sall neuer ryse out of yis Bed. I pray zow tel me zour Resolutioun. God knawis how I am punischit for making my God of zow, and for hauing na uther Thocht bot on zow; and gif at ony Tyme I offend zow, ze ar the Caus, becaus quhen ony offendis me, gif for my Refuge I micht playne unto zou, I wald speik it unto na uther Body: bot quhen I heir ony Thing not being familiar with zow, Necessitie constranis me to keip it in my Breist, and yat causes me to tyne my Wit for verray Anger. I answerit ay unto him, bot that wald be ouir lang to wryte at lenth. I askit quhy he wald pas away in ye Inglis Schip. He denyis it, and sweiris thairunto; bot he grantis that he spak with the Men. Efter this I inquyrit him of the Inquisitioun of Hiegait. He denyit the same, quhill I schew him the verray Wordis was spokin. At quhilk Tyme he said, that Mynto had aduertisit him that it was said that sum of the Counsell had brocht ane Letter to me to be subscrivit to put him in Prisoun, and to slay him gif he maid Resistence. And he askit the same at Mynto himself; quha answerit, that he beleuit ye same to be trew. The Morne I will speik to him upon this Point. As to the rest of Willie Hiegaite's, he confessit it, bot it was the Morne efter my Cumming or he did it. He wald verray fane that I suld ludge in his Ludgeing. I refusit it, and said to him, that he behouit to be purgeit

and that culd not be done heir. He said to me, I heir say ze haue brocht ane Lytter with zow, bot I had rather haue passit with zow. I trow he beleuit that I wald have send him away Presoner. I answerit, that I wald tak him with me to Craigmillar, quhair the Mediciner and I micht help him, and not be far from my Sone. He answerit, that he was reddy quhen I pleisit, sa I wald assure him of his Requeist. He desyres na Body to se him; he is angrie quhen I speik of Walcar, and sayis, that he sal pluk the Eiris out of his Heid, and that he leis. For I inquyrit him upon that, and yat he was angrie with sum of the Lordis, and wald threittin thame. He denyis that, and says he luifis thame all, and prayis me to giue Traist to nathing agænis him. As to me, he wald rather giue his Lyfe or he did ony Displesure to me. And efter yis he schew me of sa mony lytil Flattereis, sa cauldly and sa wysely, that ze will abasche thairat. I had almaist forzet that he said he culd not dout of me in yis Purpois of Hiegaite's, for he wald neuer beleif yat I, quha was his proper Flesche, wald do him ony Euill. Alsweill it was schawin that I refusit to subscrive ye same: Bot as to ony utheris that wald persew him, at leist he suld sell his Lyfe deir aneuch, bot he suspectit na Body, nor zit wald not, bot wald lufe all yat I luifit. He wald not let me depart from him bot desyrit yat I suld walk with him. I mak it seme that I beleue that all is trew, and takis Heid thairto, and excusit my self for this Nicht that I culd not walk. He sayis, that he sleipis not weil. Ze saw him neuer better, nor speik mair humbler. And gif I had not ane Prufe of his Hart of Waxe and yat myne wer not of ane Dyamont, quhairintill no Schot can mak brek, bot that quhilk cummis furth of zour Hand, I wald haue almaist had Pietie of him. Bot feir not, the Place sall hald unto the Deith. Remember in Recompence thairof, that ze suffer not zouris to be wyn be that fals Race that will trauell na les with zow for the same. I belieue they haue bene at Schuillis togidder. He has euer the Teir in his Eye; he salutis every Body, zea, unto the leist, and makis pieteous

Caressing unto thame to mak thame haue Pietie on him. This Day his Father bled at the Mouth and Nose; ges quhat Presage that is. I haue not zit sene him, he keipis his Chalmer. The King desyris that I suld give him Meit with my awin Handis; bot gif na mair Traist quhair ze ar than I fall do heir. This is my first Jornay. I sall end ye same ye Morne. I wryte all Thingis, howbeit thay be of lytill Wecht, to the end that ze may tak the best of all to iudge upon. I am in doing of ane Work heir that I hait greitly. Haue ze not Desyre to lauch to se me lie sa weill, at ye leist to dissembill sa weill, and to tell him Treuth betwix Handis? He schawit me almaist all that is in the Name of the Bischop and Sudderland, and zit I have neuer twichit ane Word of that ze schawit me, bot allanerly be Force, Flattering, and to pray him to assure himself of me. And be pleinzeing on the Bischop, I haue drawin it all out of him. Ze haue hard the rest. We ar couplit with twa fals Races; the Devill sinder us, and God knit us togidder for ever for the maist faithfull Coupill that ever he unitit. This is my Faith, I will die in it. Excuse I wryte evill, ze may ges ye Half of it; bot I cannot mend it, becaus I am not weill at Eis, and zit verray glaid to wryte unto zow quhen the rest ar sleipand, sen I cannot sleip as thay do, and as I wald desyre, that is, in zour Armes, my deir Lufe, quhome I pray God to preserve from all Evill, and send zow Repois. I am gangand to seik myne til ye Morne, quhen I sall end my Bybill; bot I am faschit that it stoppis me to wryte Newis of myself unto zow, becaus it is sa lang. Advertise me quhat ze haue deliberat to do in the Mater ze knaw upon yis Point, to ye end that we may understand utheris weill, that nathing thairthrow be spilt. I am irkit, and ganging to sleip, and zit I ceis not to scribble all this Paper in sa mekle as restis thairof. Waryit mot this pokische Man be that causes me haif so mekle Pane, for without him I suld haue ane far plesander Subject to discourse upon. He is not ouer mekle deformit, zit he hes ressauit verray mekle. He hes almaist slane me with

his Braith; it is worse then zour Uncle's and zit I cum na neirer unto him, bot in ane Chyre at the Bed-feit, and he being at the uther End thairof.

" The Message of the Father in the Gait.
The purpois of Schir James Hammiltoun.
Of that the Laird of Lusse schawit me of the Delay.
Of the Demandis that he askit at Joachim.
Of my Estait, of my Company, of the Occasion of my Cumming, and of Joseph.
Item. The Purpois that he and I had togidder.
Of the Desyre that he hes to pleis me, and of his Repentance.
Of the Interpretation of his Letter.
Of Willie Hiegaite's Mater of his Departing.
Of Monsiure de Leuingstoun.

" I had almaist forzet, yat Monsiure de Leuingstoun said in the Lady Reres Eir at Supper, That he wald drink to ye Folk yat I wist of, gif I wald pledge thame. And efter Supper he said to me, quhen I was lenand upon him warming me at the Fyre, Ze haue fair Going to se seik Folk, zit ze cannot be sa welcum to thame as ze left sum Body this Day in Regrait, that will neuer be blyth quhill he se zow agane. I askit at him, quha that was. With that he thristit my Body, and said, that sum of his Folkis had sene zow in Fascherie, ze may ges at the rest. I wrocht this Day quhill it was twa Houris upon this Bracelet, for to put ye Key of it within the Lock thairof, quhilk is couplit underneth with twa Cordounis. I haue had sa lytill Time that it is euill maid; bot I sall mak ane fairer in the mean tyme. Tak heid that nane that is heir se it, for all the Warld will knaw it, becaus for Haist it was maid in yair Presence. I am now passand to my fascheous Purpois. Ze gar me dissemble sa far, that I haif Horring thairat; and ye caus me do almaist the Office of a Traitores. Remember how gif it wer not to obey zow, I had rather be deid or I did it; my Hart bleidis at it. Summa, he will not cum with me, except upon Conditioun that I will

promeis to him that I sall be at Bed and Buird with him as of befoir, and that I sall leif him na ofter: And doing this upon my Word, he will do all Thingis that I pleis, and cum with me. Bot he hes prayit me to remane upon him quhil uther Morne. He spak verray braifly at ye Beginning, as yis Beirer will schaw zow, upon the Purpois of the Inglismen, and of his Departing: Bot in ye End he returnit agane to his Humilitie. He schawit, amangis uther Purposis, yat he knew weill aneuch that my Brother had schawin me yat Thing, quhilk he had spoken in Striviling, of the quhilk he denyis ye ane Half, and abone all yat euer he come in his Chalmer. For to mak him traist me, it behouit me to fenze in sum Thingis with him; Thairfoir, quhen he requeistit me to promeis unto him, that quhen he was haill we suld haue baith ane Bed, I said to him fenzeingly, and making me to beleue his Promisis, that gif he changeit not Purpois betwix yis and that Tyme, I wald be content thairwith; bot in the meane tyme I bad him tak heid that he leit na Body wit thairof, becaus, to speik amangis our selfis, the Lordis culd not be offendit, nor will Euill thairfoir: Bot thay wald feir in respect of the Boisting he maid of thame, that gif ever we aggreit togidder, he suld mak thame knaw the lytill Compt thay tuke of him; and that he counsallit it me not to purches sum of thame by him. Thay for this caus wald be in Jelosy, gif at anis, without thair Knawledge, I suld brek the Play set up in the contrair in thair Presence. He said verray joyfully, and think zow thay wil esteme zow the mair of that? Bot I am uerray glaid that ze speik to me of the Lordis; for I beleue at this Tyme ze desyre that we suld leif togidder in Quyetnes: For gif it wer utherwyse, greiter Inconuenience micht come to us baith then we ar war of; bot now I wil do quhatever ze will do, and will lufe all that ze lufe, and desyris zow to mak thame lufe in lyke Maner. For sen thay seik not my Lyfe, I lufe thame all equallie. Upon yis Point this Beirer wil schaw zow mony smal Thingis. Becaus I haue ouer mekle to wryte, and it is lait, I give Traist unto him

upon zour Word. Summa, he will ga upon my Word to all Places. Allace! I never dissauit ony Body: Bot I remit me altogidder to zour Will. Send me Aduertisement quhat I sall do, and quhatsaeuer Thing sall cum thairof, I sall obey zow. Aduise to with zourself, gif ze can find out ony mair secreit Inventioun be Medicine; for he suld tak Medicine and the Bath at Craigmillar. He may not cum furth of ye Hous this lang Tyme. Summa, be all that I can leirne, he is in greit Suspicioun, and zit notwithstanding, he geuis Credite to my Word; bot zit not sa far that he will schaw ony Thing to me. Bot nevertheles, I sall draw it out of him, gif ze will that I auow all unto him. Bot I will neuer rejoyce to defame ony Body that traistis in me: Zit notwithstanding ze may command me in all Thingis. Have na evill Opinioun of me for that Caus, be ressoun ze ar the Occasioun of it zourself; becaus, for my awin particular Revenge, I wald not do it to him. He geuis me sum Chekis of yat quhilk I feir, zea, evin in the Quick. He sayis this far, yat his Faultis wer publeist, bot yair is that committis Faultis, that beleuis thay will neuer be spokin of, and zit thay will speik of greit and small. As towart the Lady Reres, he said, I pray God that scho may serue zow for your Honour: And said, it is thocht, and he beleuis it to be trew, that I haue not the Power of myself into myself, and that becaus of the Refuse I maid of his Offeris. Summa, for Certanetie he suspectis of the Thing ze knaw, and of his Lyfe. Bot as to the last, how sone yat I spak Twa or Thre gude Wordis unto him, he rejoysis, and is out of dout. I saw him not this Evening for to end zour Bracelet, to the quhilk I can get na Lokkis. It is reddy to thame, and zit I feir that it will bring sum Malhure, and may be sene gif ze chance to be hurt. Aduertise me gif ze will have it, and gif ze will haue mair Siluer, and quhen I sall returne, and how far I may speik. He inrages quhen he heiris of Lethingtoun, or of zow, or of my Brother. Of zour Brother he speikis nathing. He speikis of the Erle of Argyle. I am in Feir quhen I heir him speik; for he assuris

himself yat he hes not ane evill Opiniouns of him. He speikis nathing of thame that is out, nouther gude nor euill, but fleis that Point. His Father keipis his Chalmer, I haue not sene him. All the Hammiltounis ar heir, that accompanyis me verray honorabilly. All the Freindis of the uther convoyis me quhen I gang to se him. He desyris me to cum and se him ryse ye Morn betyme. For to mak schort, this Beirer will tell zow the rest. And gif I leirne ony Thing heir, I will mak zow Memoriall at Euin. He will tell zow the Occasioun of my remaning. Burne this Letter, for it is ouir dangerous, and nathing weill said in it; for I am thinkand upon nathing bot Fascherie. Gif ze be in Edinburgh at the Ressait of it, send me Word sone. Be not offendit, for I gif not ouir greit Credite. Now seing to obey zow, my deir Lufe, I spair nouther Honour, Conscience, Hasarde, nor Greitnes quhatsumever, tak it, I pray zow, in gude Part, and not efter the Interpretatioun of zour fals Gude-brother, to quhome, I pray zow, gif na Credite aganis the maist faithfull Luifer that euer ze had, or euer sall haue. Se not hir, quhais fenzeit Teiris suld not be sa mekle praisit nor estemit, as the trew and faithfull Trauellis quhilk I sustene for to merite hir Place. For obtening of the quhilk aganis my Naturall, I betrayis thame that may impesche me. God forgiue me, and God giue zow, my only Lufe, the Hap and Prosperitie quhilk zour humble and faithfull Lufe desyris unto zow, quha hopis to be schortly ane uther Thing to zow, for the Rewaird of my irksum Trauellis. It is lait, I desyre neuer to ceis fra wryting unto zow; zit now, efter the kissing of zour Handis, I will end my Letter. Excuse my euill Wryting, and reid it twyse ouer. Excuse that thing that is scriblit, for I had na Paper Zisterday quhen I wrait that of ye Memoriall. Remember upon zour Lufe, and wryte unto hir, and that verray oft. Lufe me as I sall do zow.

" Remember zow of the Purpois of the Lady Reres,

" Of the Inglismen,

" Of his Mother,

" Of the Erle of Argyle,
" Of the Erle Bothwell,
" Of the Ludgeing in Edinburgh."

" ANE LETTER TO BOTHWELL, CONCERNING CERTANE TAKINIS THAT SCHO SEND HIM.

" *Monsieur, si l' Ennuy de vostre Absence, celuy de vostre Oubly, la crainte du Danger, tant prouué d' un chacun à vostre tant aymeé Personne,* &c.

" MY Lord, gif the Displesure of zour Absence, of zour Forzetfulnes, ye Feir of Danger sa promisit be everie ane to zour sa luifit Persone, may gif me Consolatioun, I leif it to zow to juge, seing the Unhap that my cruell Lot and continuall Misaduenture hes hetherto promysit me, following ye Misfortunes and Feiris as weill of lait, as of ane lang Tyme bypast, the quhilk ze do knaw. Bot for all that, I wil in na wise accuse zow, nouther of zour lytill Remembrance, nouther of zour lytill Cair, and leist of all of zour Promeis brokin, or of ye Cauldnes of zour Wryting, sen I am ellis sa far maid zouris, yat yat quhilk pleisis zow is acceptabill to me ; and my Thochtis ar sa willingly subdewit unto zouris, that I suppois yat all that cummis of zow proceidis not be ony of the Causis foirsaid, bot rather for sic as be just and ressonabill, and sic as I desyre myself. Quhilk is the fynall Order that ze promysit to tak for the Suretie and honorabil Seruice of ye only Uphald of my Lyfe. For quhilk alone I will preserue the same, and without the quhilk I desyre not bot suddane Deith. And to testifie unto yow how lawly I submit me under zour Commandementis, I haue send zow, in Signe of Homage, be Paris, the Ornament of the Heid, quhilk is the cheif Gude of the uther Memberis, inferring thairby that, be ye seising of zow

in the Possessioun of the Spoile of that quhilk is principall, the Remnant cannot be bot subject unto zow, and with consenting of ye Hart. In Place quhairof, sen I haue ellis left it unto yow, I send unto yow ane Sepulture of hard Stane, collourit with Blak, sawin with Teiris and Bones. The Stane I compair to my Hart, that as it is caruit in ane sure Sepulture or Harbor of zour Commandementis, and aboue all, of your Name and Memorie that ar thairin inclosit, as is my Hear in this Ring, neuer to cum furth, quhill Deith grant unto yow to ane Trophee of Victorie of my Banes, as the Ring is fullit, in signe that yow haif maid ane full Conqueis of me, of myne Hart, and unto yat my Banes be left unto yow in Remembrance of your Victorie and my acceptabill Lufe and willing, for to be better bestowit then I merite. The Ameling that is about is blak, quhilk signifyis the Steidfastnes of hir that sendis the same. The Teiris ar without Number, sa ar the Dreddouris to displeis yow, the Teiris of your Absence, the Disdane that I cannot be in outwart Effect youris, as I am without Fenzeitnes of Hart and Spreit, and of gude Ressoun, thocht my Meritis wer mekle greiter then of the maist Profite that euer was, and sic as I desyre to be, and sall tak Pane in Conditiounis to imitate, for to be bestowit worthylie under your Regiment. My only Wealth, ressaif thairfoir in als gude part ye same, as I haue ressauit your Mariage with extreme Joy, the quhilk sall not part furth of my Bosum, quhill yat Mariage of our Bodyis be maid in publict, as Signe of all that I outher hope or desyris of Blis in yis Warld. Zit my Hart feiring to displeis yow as mekle in the reiding heirof, as I delite me in ye writing, I will mak End, efter that I haue kissit zour Handis with als greit Affectioun as, I pray God (O ye only Uphald of my Lyfe) to gif yow lang and blissit Lyfe, and to me zour gude Fauour, as the only Gude yat I desyre, and to ye quhilk I pretend. I haue schawin unto this Beirer that quhilk I haue leirnit, to quhome I remit me, knawand the Credite that ze gaif him, as scho dois that will be for euer unto zow humbill and obedient

lauchfull Wyfe, that for euer dedicates unto zow hir Hart, hir Body, without ony Change, as unto him that I haue maid l'ossessour of Hart, of quhilk ze may hald zow assurit, yat unto ye Deith sall na wayis be changeit, for Euill nor Gude sall neuer mak me go from it."

"ANE UTHER LETTER TO BOTHWELL, OF HIR LUFE TO HIM.

" *Jay veillé plus tard la haut que je n' eusse fait, si ce n' eust esté pour tirer cé que ce Porteur vous dira, que je trouue la plus belle Commodité pour excuser vostre Affaire qui ce purroit presenter*, &c.

" I HAVE walkit laiter thair up then I wald haue done, gif it had not bene to draw sum thing out of him, quhilk this Beirer will schaw zow, quhilk is the fairest Commoditie that can be offerit to excuse zour Affairis. I haue promysit to bring him to him ye Morne. Put Ordour to it gif ze find it gude. Now, Schir, I haue brokin my Promeis, because ze commandit me nouther to wryte nor send unto zow; zit I have not done this to offend zow. And gif ze knew the Feir yat I haue presently, ze wald not haue sa mony contrary Suspiciounis in zour Thocht, quhilk notwithstanding I treit and chereis, as proceding from the Thing in the Warld that I maist desyre, and seikis fastest to haif, quhilk is zour gude Grace: Of the quhilk my Behauour sall assure me. As to me, I sall neuer dispair of it, and prayis zow, according to zour Promeis, to discharge zour Hart unto me: Utherwayis I will think that my Malhure, and the gude handling of hir that hes not ye third Part of the faithfull nor willing Obedience unto zow yat I beir, hes wyn, aganis my Will, yat Auantage ouer me, quhilk ye second Lufe of *Jason* wan; not that I will compair zow unto ane sa unhappy as he was, nor zit myself to ane sa

unpietifull ane Woman as scho. Howbeit, ze caus me to be sumthing lyke unto hir in ony Thing that tuichis zow, or that may preserue and keip zow unto hir, to quhome only ze appertene: Gif it be sa that I may appropriate that quhilk is wyn thocht faithfull, zea, only luifing of zow, as I do, and sall do all the Dayis of my Lyfe, for Pane or Evill that can cum thairof. In recompense of the quhilk, and of all the Euillis quhilk ze haue bene Caus of to me, remember zow upon the Place heir besyde. I craif with that ze keip Promeis to me the Morne; but that we may meit togidder, and that ze gif na Faith to Suspiciounis without the Certanetie of thame. And I craif na uther Thing of God, bot that ze may knaw that Thing that is in my Hart quhilk is zouris, and that he may preserve zou from all Euill, at the leist sa lang as I haue Lyfe, quhilk I repute not precious unto me, except in sa far as it and I baith ar aggreabill unto zow. I am going to Bed, and will bid zow gude Nicht. Aduertise me tymely in the Morning how ze haue fairin, for I will be in Pane unto I get Worde. Mak gude Watch gif the Burd eschaip out of ye Caige, or without hir Meit. As ye Turtur I sall remane alone for to lament the Absence, how schort yat sa euer it be. This Letter will do with ane gude Hart, that Thing quhilk I cannot do myself, gif it be not that I haue Feir that ze are in Sleiping. I durst not wryte this befoir Joseph, Bastiane, and Joachim, that did bot depart euen quhen I began to wryte."

"AN UTHER LETTER TO BOTHWELL, CONCERNING THE DEPARTURE OF MARGARET CARWOD, QUHA WAS PREUIE AND ANE HELPER OF ALL THAIR LUFE.

"*Mon Cœur, helas! fault il que la Follie d'une Femme, dont vous cognoissez assez l' Ingratitude vers moy, soit Cause de vous donner Desplaisir,* &c.

"MY Hart, allace! must the Foly of ane Woman quhais Unthankfulnes toward me ze do sufficiently knaw, be Occasioun

of Displesure unto zow, considdering yat I culd not haue remeid it thairunto without knawing it? And sen that I persauit it, I culd not tell it zow, for that I knew not how to gouerne myself thairin. For nouther in that, nor in ony uther Thing will I tak upon me to do ony Thing without Knawlege of zour Wil, quhilk I beseik zow let me understand, for I will follow it all my Lyfe, mair willingly than zow sall declair it to me; and gif ze do not send me Word this Nicht quhat ze will that I sall do, I will red my self of it, and hasard to caus it to be interprysit and takin in Hand, quhilk micht be hurtfull to that quhairunto baith we do tend. And quhen scho salbe maryit, I beseik zow giue me ane, or ellis I will tak sic as sall content zow for their Conditiounis; bot as for thair Toungis or Faithfulnes towart zow, I will not answer. I beseik zow yat ane Opinioun of uther Persoun be not hurtfull in zour Mynde to my Constancie. Mistrust me, bot quhen I will put zow out of dout, and cleir my selfe. Refuse it not, my deir Lufe, and suffer me to mak zow sum Prufe be my Obedience, my Faithfulnes, Constancie, and voluntarie Subjectioun, quhilk I tak for the plesandest Gude that I micht ressaif, gif ze will accept it, and mak na Ceremonie at it, for ze culd do me na greiter Outrage, nor giue mair mortall Greif."

"ANE UTHER LETTER SEND FRA STRIVILING TO BOTHWELL, CONCERNING THE PRACTISE FOR HIR RAVISCHEMENT.

"*Monsievr, helas! pourquoy est vostre Fiance mise en Personne si indigne, pour soupconner ce qui est entierement vostre. J' enrage, vous m' auiez promis,* &c.

"ALLACE! my Lord, quhy is our Traist put in ane Persoun sa unworthie, to mistraist that quhilk is haillely zouris? I am wod. Ze had promysit me, that ze wald resolve all, and yat

ze wald send me Word every Day quhat I suld do. Ze haif done nathing yairof. I aduertisit zow weill to tak heid of zour fals Brother in Law: He come to me, and without schawing me ony Thing from zow, tald me that ze had willit him to wryte to zow that that I suld say, and quhair and quhen ze suld cum to me, and that that ze suld do tuiching him, and thairupon hes preichit unto me yat it was ane fulische Interpryse, and that with myne Honour I culd never mary zow, seing that being maryit ze did cary me away, and yat his Folkis wald not suffer it, and that the Lordis wald unsay yameselfis, and wald deny that they had said. To be schort, he is all contrarie. I tald him, that seing I was cum sa far, gif ze did not withdraw zour self of zour self, that na Perswasioun, nor Deith itself suld mak me fail of my Promeis. As tuiching the Place ze ar to negligent (pardoun me) to remit zour self thairof unto me. Cheis it zour self, and send me Word of it. And in the meane tyme I am seik, I will differ, as tuiching the Mater it is to lait. It was not lang of me yat ze haue not thocht thairupon in Time. And gif ze had not mair changeit zour Mynd sen myne Absence then I haue, ze suld not be now to ask sic Resoluing. Weill, thair wantis nathing of my Part, and seing that zour Negligence dois put us baith in the Danger of ane fals Brother, gif it succedit not weill, I wil neuer ryse agane. I send this Beirer unto zow, for I dar not traist zour Brother with thir Letteris, nor with the Diligence. He sall tell zow in quhat Stait I am, and judge ze quhat Amendment yir new Ceremoneis haue brocht unto me. I wald I wer Deid, for I se all gais ill. Ze promysit uther maner of Mater of zour foirseing, bot Absence hes Power ouer zow, quhat haif twa Stringis to zour Bow. Dispatch the Answer yat I faill not, and put na Traist in zour Brother for this Interpryse, for he hes tald it, and is also all aganis it. God giue zow gude Nicht."

"ANE UTHER LETTER TO BOTHWELL, FOR THE PRACTISE AND DEVISE TO EXCUSE THE RAVISCHING.

" Dv Lieu & l'Heure je m'en rapporte à vostre Frere & à vous. Je le suiuray, & ne fauldray en rien de ma Part. Il trouue beaucoup de Difficultez, &c.

" OF the Place and the Tyme I remit my self to zour Brother and to zow. I will follow him, and will faill in nathing of my Part. He findis mony Difficulteis: I think he dois aduertise zow thairof, and quhat he desyris for the handling of himself. As for the handling of myself, I hard it anis weill deuysit. Me thinkis that your Seruices, and the lang Amitie, hauing the gude Will of ye Lordis, do weill deserue ane Pardoun, gif abone the Dewtie of ane Subject yow aduance yourself, not to constrane me, bot to assure yourself of sic Place neir unto me, that uther Admonitiounis or forane Perswasiounis may not let me from consenting to that that ye hope your Seruice sall mak yow ane Day to attene: And to be schort, to mak yourself sure of the Lordis, and fre to mary; and that ye are constranit for your Suretie, and to be abill to serue me faithfully, to use ane humbil Requeist, joynit to ane importune Actioun. And to be schort, excuse yourself, and perswade thame the maist ye can, yat ye ar constranit to mak I'ersute aganis zour Enemeis. Ze sal say eneuch, gif the Mater or Ground do lyke yow, and mony fair Wordis to Lethingtoun. Gif ye lyke not the Deid, send me Word, and leif not the Blame of all unto me."

ANE UTHER LETTER TO BOTHWELL OF YE PRACTISE OF HIR RAVISCHMENT, AND TO ADVISE HIM TO BE STRANG TO DO IT.

"*Monsievr, depuis ma Lettre escrite vostre beau Frere qui fust, est venu à moy forte triste, & m' a demandè mon Conseil de ce qu' il feroit apres demain*, &c.

"MY Lord, sen my Letter writtin, zour Brother in Law yat was, come to me verray sad, and hes askit me my Counsel, quhat he suld do efter to Morne, becaus thair be mony Folkis heir, and amang utheris the Erle of Sudderland, quha wald rather die, considdering the Gude they haue sa laitlie ressauit of me, then suffer me to be caryit away, thay conducting me; and that he feirit thair suld sum Troubil happin of it: Of the uther Syde, that it suld be said that he wer unthankfull to haue betrayit me. I tald him that he suld haue resoluit with zow upon all that, and that he suld auoyde, gif he culd, thay that wer maist mistraistit. He hes resoluit to wryte thairof to zow be my Opinioun; for he hes abaschit me to see him sa unresoluit at the Neid. I assure myself he will play the part of ane honest man: Bot I haue thocht gude to aduertise zow of the Feir he hes yat he suld be chargeit and accusit of Tressoun, to ye end yat, without mistraisting him, ze may be the mair circumspect, and that ze may haue ye mair Power. For we had Zisterday mair than iii. C. Hors of his and of Levingstoun's. For the Honour of God, be accompanyit rather with mair then les; for that is the Principal of my Cair. I go to write my Dispatche, and pray God to send us ane happy Enterview schortly. I wryte in Haist, to the end ye may be aduysit in Tyme."

Appendix D.—Page 68.

Mr. Laing has endeavoured to cast great ridicule on the poetry of Mary, in order to induce his readers the more readily to believe that the forged Sonnets really proceeded from her pen. For my own part, the opinion of one of the best of contemporaneous poets would weigh more with me than that of a writer, who has been so often convicted of misrepresentation of the truth, and whose blind party zeal knows no restraints of decency or veracity. But it will, perhaps, be more agreeable to my readers, that I should furnish them with some proofs of the assertion, that Mary's poetry was indeed simply beautiful and pathetic, while the sonnets are termed common place and verbose. The following elegy was written by her at a very early age, on the death of her husband Francis II.—

(1.)

" En mon triste et doux chant,
D'un ton fort lamentable,
Je jette un œil tranchant,
De perte incomparable,
Et en soûpirs cuisans,
Passe mes meilleurs ans.

(2.)

" Fut-il un tel malheur
De dure destinée,
N'y si triste douleur,
De dame fortunée,
Qui mon cœur et mon œil,
Voit en Biere et Cercueil.

(3.)

" Qui en mon doux Printemps,
Et fleur de ma jeunesse,
Toutes les peines sens,
D'une extréme tristesse,
Et en rien n'ay plaisir,
Qu'en regret et désir.

(4.)

" Ce qui m'estoit plaisant
Ores m'est peine dure
Le jour la plus luisant
M'est nuit noire et obscure,
Et n'est rien si exquis
Qui de moy soit requis.

(5)

" J'ay au cœur et à l'œil,
Un pourtraict et image,
Qui figure mon deuil,
Et mon pasle visage.
De violettes teint,
Qui est l'amoureux teint.

(6.)

" Pour mon mal estranger,
Je ne m'arreste en place,
Mais j'en ay eu beau changer,
Si ma douleur j'efface,
Car mon pis et mon mieux,
Sont les plus deserts lieux.

(7.)

" Si en quelque sejour,
Soit en Bois ou en prée,
Soit sur l'aube du jour,
Ou soit sur la vesprée,
Sans cesse mon cœur sent
Le regret d'un absent.

(8.)

" Si par fois vers les Cieux
Viens à dresser ma veuë
Le doux trait de ses yeux
Je voy en une nuë
Soudain le voys en l'eau
Comme dans tombeau.*

* In Mary's time, and now, the gardens of palaces were ornamented with pieces of water.—*Lord Elibank.* Mary means to say, that whether she casts her eyes to the heavens, or to the earth, she still beholds his cherished form.

(9.)

" Si je suis en repos,
Sommeillant sur ma couche,
J'oy qu'il me tient propos,
Je le sens que me touche,
En labeur et requoy,
Toujours est préz de moy.

(10.)

" Je ne vois autre objet,
Pour beau que se presente,
A qui que soit sujet,
Oncques mon cœur consente,
Exempte de perfection
A cette affection.

(11.)

" Mets Chauson icy fin,
A si triste complainte,
Dont sera le refrain,
Amour vraye et non feinte,
Pour la separation,
N'aura diminution."—*Jebb*, II. 480.

Those of my readers who are accustomed to the perusal of French poetry, will be readily able to perceive the simple beauty of this elegy, not overloaded with florid ornament, but speaking the true language of a pure and ardent heart. But, in order that those, who, from the want of the habit of perusing French verse may lose some of its beauties, may enjoy them fully, I subjoin a translation of it by Mr. Pye, which was printed in Tytler's Enquiry, (II. 418.)

I.

" In melting strains that sweetly flow,
Tuned to the plaintive notes of woe,
My eyes survey, with anguish fraught,
A love beyond the reach of thought,
While pass away life's fairest years
In heaving sighs and mournful tears.

II.

" Did cruel destiny e'er shed
Such horror on a wretched head?
Did e'er once happy woman know
So sad a scene of heartfelt woe?
For ah! behold on yonder bier
All that my heart and eyes held dear.

III.

" Alas! e'en in my blooming hours,
'Mid opening youth's resplendent flowers,
I'm doom'd each cruel pang to share,
Th' extremest sorrows of despair,
No other joy or bliss can prove
Than grief, and disappointed love.

IV.

" The sweet delights of happier days
New anguish in my bosom raise;
Of shining day the purest light
To me is drear and gloomy night;
Nor is there aught so good and fair
As now to claim my slightest care.

V.

" In my full heart and streaming eyes,
Pourtray'd by woe, an image lies,
Which sable robes but faintly speak,
Or the pale languor of my cheek,
Pale as the violet's faded leaf,
The tint of love's despairing grief.

VI.

" Perplex'd by this unwonted pain,
No place my steps can long detain;
Yet change of scene no comfort gives,
Where sorrow's form for ever lives;
My worst, my happiest, state of mind
In solitude alone I find.

VII.

" If chance my listless footsteps leads
Through shady groves, or flowery meads,
Whether at dawn of rising day,
Or silent evening's setting ray,
Each grief that absence can impart
Incessant rends my tortured heart.

VIII.

" If to the heavens, in rapturous trance,
I haply throw a wistful glance,
His visionary form I see,
Pictur'd in orient clouds to me;
Sudden it flies, and he appears
Drown'd in a watery tomb of tears.

IX.

" Awhile, if balmy slumbers spread
Their downy pinions o'er my head,
I touch his hand in shadowy dreams;
His voice to sooth my fancy seems.
When wak'd by toil, or lull'd by rest,
His image ever fills my breast.

X.

" No other object meets my sight,
Howe'er in robes of beauty dight,
Which to my sad despairing heart
One transient wish will ne'er impart,
Exempt from that unaltered woe,
Which this sad breast must ever know.

XI.

" But cease my song—cease to complain,
And close the sadly plaintive strain,
To which no artificial tears,
But love unfeign'd the burden bears;
Nor can my sorrows e'er decrease,
For ah! his absence ne'er can cease."

Such is the genuine poetry of Mary, which Lord Hailes has sneered at, and Mr. Laing has condemned as unintelligible, and filled with unintelligible bombast,* and compares to that species of poetry which Pope's Song, by a person of quality, was written to explode;† but which appeals to the hearts of all unshackled by bigoted prejudice, and is about as far removed from the gross and unpolished sonnets which are attributed to her as the elegant diction of the illustrious Clarendon is from the historical composition of Malcolm Laing. It is, indeed, somewhat amusing, to witness the straits to which this candid and impartial writer is reduced, when he is endeavouring, though most unsuccessfully, to defend the authenticity of these sonnets. He tells us, that those who object to their grossness and indelicacy, must be ignorant of the character of the age in which they were written, and the nature of its literature, forgetting that Brantome and Ronsard,—two of the first poets of that very age, and men, whose position entitles their opinion to more respect than that of a writer, nearly three centuries later, setting aside all other considerations personal to Mr. Laing—were the first to pass sentence against them on this very ground. And the state in which he leaves the question is just this: There are four poems by Mary in existence; one, the elegy on her husband; another, the collection of sonnets under dispute, and two others written during her captivity in England. But the first was written with care for the Court of France, and the two last were penned as carefully for the English Court, while the second alone is careless and inelegant, because written to her lover:‡ as if a woman would not expend as much care upon a composition intended for the eye of such a lover, as upon anything to which her attention could be devoted. The difference in style which Mr. Laing is thus reluctantly compelled to admit, is to my mind perfectly conclusive. And if any should be disposed to

* Laing, I. 348. † Ibid. I. 352.

‡ Ibid. I. 348.

undervalue this species of proof, let them remember the anecdote already cited in the text, and hesitate ere they attempt to oppose the conclusions of a man so illustrious as him whose authority is there employed.

For my own part, I have said very little about the Sonnets, because they are really scarcely worth the trouble of confutation. No name is mentioned throughout the whole composition,* circumstances are narrated, of which no historian ever dreamt in connexion with Mary, and altogether it is perfect nonsense to consider it as evidence one way or another. For aught we can see to the contrary, it may have been, as Miss Strickland very happily suggests, some old ballad of the days of chivalry, which Mary had copied; and it may have been found in the Casket, when it was captured at the spoliation of her jewels; but whether this be so or not, is a matter of very slight importance, since, so long as the meaning of its various parts, and the person to whom it was addressed, and whom it concerns, rests upon the mere conjecture of historians, it can never be rationally regarded as of any value in evidence.

Appendix E.—Page 103.

Although the letters which were put forth to the world by Buchanan, are the only ones which have been mentioned in the text, there is yet another collection which was not considered worthy of notice in the narrative, having been condemned as a forgery by some of the enemies of Mary,† and passed over silently by others; but which yet deserves to be noted, as showing the busy activity of malignity in the defamation of the Scottish Queen. These were published by Edward Simmons,

* In Mr. Hugh Campbell's translation, Bothwell's name occurs eleven times. In the original not once.

† Turner's Modern History of England, IV. 126, note 20.

in 1726, and were republished, in 1824, by Hugh Campbell, who pretends to have printed from a MS. which, however, he does not aver to have been in the hand of Mary, but who, doubtless, only reprinted the former edition by Simmons. It is scarcely necessary to say, that not the slightest evidence exists to show that there ever were any letters produced besides those printed by Buchanan; but the absurdities and contradictions of these precious letters are really amusing and worthy of notice.

1. The theory upon which nearly all of them are founded, and which is in one of them distinctly propounded—that Mary never loved Darnley,—is obviously false. There cannot be a doubt that the marriage was one of pure affection.

2. Not content with this, the writer subverts the whole course of events, making Darnley to be first proposed by Elizabeth to Mary, and then Leicester sent instead; while every one must remember that Leicester was first offered, and then, when it seemed likely that he would be accepted, and the English Queen thus be deprived of her lover, Darnley was permitted to go, though Elizabeth was always *openly* opposed to the match, even while she was encouraging it in private.

3. In a letter purporting to be written soon after her marriage with Darnley,* speaking of Murray, she says—"The haughty arrogance of he and Hamilton is now reduced to low submission, and, though they murmur, they dare not complain." But Murray had risen in rebellion, and was then a refugee in England.

4. In another letter, which is assumed to be written after the murder of Riccio, but some little time before the death of the King, the fictitious Mary says of Murray, "But he, alas! has been so sullen already, so arbitrary and insulting when in power, that I dread to invest him with the same again."† But Murray assumed the reins of power immediately after the murder of Riccio, and kept them till after the death of Darnley.

* Campbell's Love Letters, 21. † Ibid. 25.

5. One of the letters pretends to be written about the 11th or 12th of May, to Bothwell, and in it Mary is made to relate that "the divorce being looked upon as good as completed," Murray had, the day before, offered Bothwell to her as a husband.* Now the divorce was actually completed on the 26th of April, but Murray left Scotland for France on the 9th of April, and did not return till August; and it is, therefore, impossible that he should have made the offer in question; and it is equally impossible that the letter should have been written at all according to its date, for Bothwell seized Mary on the 24th of April, and he never left her till the 7th of June. So completely does a minute attention to chronology overthrow these clumsy fabrications.

6. But the crowning absurdity yet remains to be related. Not content with making Mary in love with Bothwell as early as 1563, in opposition to the very plain facts, that in that very year she put him in prison on a charge of conspiring to kill her,‡ and, in 1565, was so angry at his return from France, that she summoned him to undergo the law, or be proclaimed a traitor;§ not content with this very glaring falsification, the writer of the letter makes her talking to him, in 1563, about a divorce from his wife, || overlooking the somewhat important circumcumstance that he did not marry her till six months before the murder of Darnley;¶ that is to say, about the middle of 1566. And this one anachronism stamps the character of the whole collection of letters.

Since no one but Mr. Hugh Campbell has ever dreamt that these letters were authentic, except, perhaps, the first publisher, Mr. Simmons, it may seem that I have wasted both time and space in overthrowing that which has never been upheld; but I have been tempted thus to dwell upon the inconsistencies and falsehoods of these letters, both because they have never been

* Campbell, 30.
† Anderson, II. 276.
‡ Keith, 240-8, 269.
§ Keith, 270.
|| Camden, 18.
¶ Melvil, 78.

examined before, and, more especially, because the marks of forgery which occur in them are exactly the same with those which have been pointed out in the other letters. The same historical falsehood, the same anticipation of subsequent facts, have been detected in both, and both must, therefore, be classed under the same head of forgery, detected to be such by the evidence afforded by their own contents.

APPENDIX F.—PAGE 172.

"SECRET INSTRUCTIONS FOR H. KILLIGREW, SEPTEMBER 10, 1572.

(*In Lord Burleigh's hand.*)

"WHER you ar by other instructions directed to treat both with the King's party, and others of the castell, for the better observation of the late accord for the abstynence; and next that, secretly to informe some of the principal of either party of the late horrible universal murder in France, and thereupon to move them to have good regard to that state, that the lyke be not there attempted.

"Although these matters are of reasonable moment to move to cawse you to be sent thither at this tyme; yet, upon a singular trust, yow are chosen to deale in a third matter, of a farr gretar moment, wherein all secrecy and circumspection is to be used, as yourself considere that the matter requireth.

"It is found dayly more and more, that the contynuance of the Quene of Scots here, is so dangerooss, both for the person of the Quene's Majesty, and for her state and realme, as nothing presently is more necessary, than that the realme might be delivered of her; and though by justice this might

be done in this realme, yet for certain respects, it seemeth better that she be sent into Scotland, to be delivered to the Regent and his party, so as it may be by some good means wrought, that they themselves would secretly require it; and that good assurance may be given, that as they have heretofore many tymes, specially in the tyme of the Quene's former Regents, offered, so they wold without fayle, proceed with hir by wey of justice, so as nether that realme nor this shuld be dangered by hir herafter; for otherwise to have hir and to kepe hir were of all other most dangeroos. Now, how this may be compassed yow ar to considre, at yowr coming thyther, with whom of the King's party it were best for you to deale, making choiss of some such as yow shall fynde best perswaded of the perill to that state, by her continuance ether here or there, and such as you shall fynde most addicted to the King ther; and with such you may as of yourself secretly conferr; and if otherwise it shall not be directly moved to yow, than you may give the said party some lykelehood to thynke, that if ther were any ernest means secretly made by the Regent and the Erle Morton, to some of the Lords of the counsell here, to have hir delyvered to them, it might be at this tyme better than at any tyme heretofore brought to pass, that they might have hir, so as ther might be good surety gyven, that she shuld receive that she hath deserved ther, by ordre of justice, whereby no furder perill shuld ensue, by hir escaping or setting hir upp agyen. For otherwise you may well saye, that the Councell of England will never assent to delyver hir out of the realme; and for assurance none can suffice but hostages of good valew, that is, some children and near kinsfolk of the Regent, and the Erle Morton.

"Herein you shall, as commodite shall serve yow, use all good spede, with the most secresy that yow can, to understand ther mynds; and yet so to deale to your uttermost, that this matter might be rather oppened to you, than yourself to seem first to move it; and as you fynde ther disposition, so to

accelerate ther disposition, and to advertise with all spede possible; for so the tyme requyreth, that celerité be used to have this doone before, the French enter any deeper ther in credit; and that with all secresy, lest it be interrupted by some furder dangerooss practise." *

Appendix G.—Page 196.

"THE TRIAL

OF

MARY STUART, QUEEN OF SCOTLAND.

(From Camden's Annals.)

"Soone after, the Commissioners which were present, assembled themselves in the presence chamber. At the upper end of the chamber was placed a chaire of estate for the Queene of England, under a cloath of estate. Over against it, below and more remote neere the transome or beame that rann crosse the roome, stood a chaire for the Queene of Scotts. At the walles on both sides were placed benches, upon which sate on the one side the Lord Chancellor of England, Lord Treasurer of England, the Earles of Oxford, Kent, Darby, Worcester, Rutland, Cumberland, Warwick, Pembroke, Lincolne, and the Lord Vicount Montacute: on the other side the Barons of Abergavenny, Zouch, Morley, Stafford, Grey, Lumley, Sturton, Sandes, Wentworth, Mordant, St. John of Bletso, Compton and Cheiney. Nigh unto these sate the knights of the Privy

The forme of Session.

* Murdin's State Papers, 224.

Councell, Sir James a Croftes, Sir Christopher Hatton, Sir Francis Walsingham, Sir Ralph Sadleir, Sir Walter Mildmay and Sir Amias Powlet. Forward before the earles, sate the two Chiefe Justicers, and the Chiefe Baron of the Exchecquer: And on the other side two Barons, the other Justicers, Dale, and Ford, Doctors of the Civill Law; and at a little table in the middest sate Popham the Queenes Atturney, Egerton the Sollicitor, Gawdy the Queenes Serjeant at Lawe, the clercke of the Crowne, and two writers.

"When she was come, and had settled herselfe in her seate, after silence proclaimed, Bromley Lord Chancellor turning unto her, spake briefly to this effect. 'The most high and mighty Queene Elizabeth, being not without great griefe of mind advertised, that you have conspired the destruction of her and of England, and the subversion of Religion, hath out of her office and duty, least shee might seeme to have neglected God, herselfe, and her people, and out of no malice at all, appointed these Commissioners, to heare the matters which shall bee objected unto you, and how you can cleare yourselfe of them, and make knowne your innocency.'

The Lord Chancellor speaketh to her.

"She rising up, said, 'That she came into England to crave aid which had beene promised her, and yet was she deteined ever since in prison. She protested that she was no subject of the Queenes, but had beene and was a free and absolute Queene, and not to be constrained to appeare before Commissionners, or any other Judge whatsoever, for any cause whatsoever, save before God alone the highest Judge, least she should preiudice her own Royall Majesty, the King of Scottes her sonne, her successors, or other absolute Princes. But, that she now appeared personally, to the end to refute the crimes objected against her. And hereof shee prayed her owne attendants to beare witnesse.

She maketh her protestation.

"The Lord Chancellor, not acknowledging that any ayd had beene promised her, answered, 'That this protestation was in vaine, for that whosoever, (of what place and degree soever he were) should offend against the lawes of England, in Eng-

land, was subject unto the same Lawes, and by the late Act might be examined and tryed. The said protestation therefore made in prejudice of the laws and Queene of England, was not to be admitted.' The Commissioners neverthelesse commanded that as well her protestation, as the Lord Chancellor's answere, should bee recorded. The protestationrecorded.

"Then after the Commission was openly read, which was grounded upon the Act already often mentioned, shee stoutly opposed her protestation against the same Act, as enacted directly and purposely against her; and herein she appealed to their consciences.

"When answere was made by the Lord Treasurer, that every person in this Kingdome was bound even by the latest Lawes, and that Shee ought not to spake against the Lawes: and that the Commissioners would judge according to that Law, what protestations or appellations soever shee interposed, Shee said at length that shee was readie to heare and answere touching any fact whatsoever against the Queene of England.

"Gawdy now opened the Law from point to point, affirming that she had offended against the same, and hereupon hee made an historicall discourse of Babington's conspiracie, and concluded, 'That she knew of it, approved it, assented unto it, promised her assistance, and shewed the way and meanes.' The proceeding.

"She answered with stout courage, 'That she knew not Babington, that shee never receaved any lettres from him, nor wrote any to him, that shee never plotted the destruction of the Queene, and that to prove the same, her subscription under her owne hand was to be produced. That for her part she never somuch as heard speake thereof: that she knew not Ballard, nor ever relieved him; but she understood from some that the Catholikes in England tooke many things very hardly, and hereof she herselfe had advertised the Queene by letters, and besought her to take pitty on them. That many also which were to her utterly unknowne, had offered her their helpe and assistance, yet had she excited no man to commit She denieth the things objected.

any offence : and being shut up in prison, she coulde neither know nor hinder what they attempted.'

" Hereupon it was urged out of Babington's confession, that there had beene intercourse by lettres betwixt her and Babington. She confessed that there had passed conference by lettres betwixt her and many men, yet could it not thereby be gathered that she was privy to all their wicked counsailes. She required that her owne subscription under her hand might be produced; and asked, what hurt it were if she had redemanded the lettres which had beene kept from her almost a whole yeare. Then were read the copies of Babington's lettres unto her, wherein the whole conspiracie was set downe.

Copies of letters produced.

" ' As for these lettres,' (said she,) ' it may be that Babington wrote them, but let it be proved that I receaved them. If Babington or any others affirme it, I say, they ly openly, Other men's crimes are not to be cast upon me. A packet of lettres which had beene kept from me almost a whole yeare, came to my hands about that time, but by whom it was sent, I know not.'

And some things out of Babington's confession.

" To prove that she had received Babington's letters there were read out of Babington's confession the chiefe heads of certaine lettres which he had voluntarily confessed that she wrote backe unto him. Wherein when mention was made of the Earle of Arundell and his brethren, and the Earle of Northumberland, the teares burst forth and she said, ' Alas, what hath that noble house of the Howards endured for my sake !' And shortly after, having wiped away the teares, shee answered,

She denieth them.

' That Babington might confesse what he list, but it was an open ly that she had devised such meanes to escape. That her adversaries might easily get the Ciphers which she had used to others, and with the same write many things falsly. That it was not likely she should vse Arundel's helpe, whom she knew to bee shut up in prison, or Northumberland's who was very young, and to her unknowne.'

She is pressed with Savage,

" There were read also certein points picked out of Savage his and Ballard's confessions, who had confessed that

Babington imparted unto them certeine letters which hee had receaved from the Queene of Scottes. his and Ballard's Confessions.

"She affirmed, 'That Babington receaved none from her, yea that she was angry with some which had secretly suggested counsailes unto her for invading of England, and had warned them to beware.'

"Now was there a letter brought forth, wherein Babington's plot was commended and approved. Hereof she required a copie, and affirmed, 'That it proceeded not from her, but haply from her Alphabet of Ciphers in France: that she had done her best endeavour for the recovery of her liberty, which nature it selfe alloweth, and had sollicited her friends to deliver her; yet to som, whom she listed not to name, when they offered her their helpe to deliver her, she answered not a word. Neverthelesse she much desired to divert the storme of persecution from the Catholikes, and for this she had made earneste suite to the Queene. For her part she would not purchace the Kingdome with the death of the meanest man of the common people, much lesse of the Queene: that there were many which attempted dangerous designes without her knowledge; and by a very late letter which shee had receaved, pardon was asked of her by some, if they should enterprise any thing without her privity. That it was an easie matter to counterfeit the Ciphers and Characters of others, as a young man did very lately in France, which had vaunted himselfe to be her sonn's base brother. That she feared also least this were done now by Walsingham to bring her to her death, who (as shee heard) had practised against her life and her son's. She protested that she not so much as thought the destruction of the Queene; that she had rather most gladly spend her owne life, then for her sake the Catholikes should be so afflicted in hatred of her, and drawne to cruell death.' And withall she shead plenty of teares.

And with her letters to Babington. She denieth them.

She taxeth Walsingham.

"'But,' (said the Lord Treasurer,) 'no man which hath shewed himselfe a good subject, was ever put to death for Religion, but some have beene for treason, while they mainteined the Pope's Bull and authority against the Queene.'

"'Yet I,' (said she,) 'have heard otherwise, and have read it also in bookes set forth in print.'

"'The authors' (replyed he) 'of such bookes, do write also that the Queene hath forfeited her Royall dignity.'

Hee defendeth himselfe.

"Walsingham, who had found himselfe taxed even now by her words tooke opportunity, and rising up protested, that his minde was free from all malice. 'I call God' (said hee,) 'to record, that as a private person I have done nothing unbeseeming an honest man, nor as I beare the place of a publique person, have I done anything unworthy my place. I confesse that being very carefull for the safety of the Queene and realme, I have curiously searched out the practises against the same. If Ballard had offered me his helpe, I should not have refused it, yea I would have recompensed the paines he had taken. If I have practised any thing with him, why did he not utter it to save his life?'

"With this answere she said she was satisfied. She praied him hee would not be angry that she had spoken freely what she had heard reported: and that he would give no more credit to those that slandered her, then she did to such as accused him. That spies were men of doubtfull credit, which dissemble one thing, and speake another: and that he would in no sort believe that she had consented to the Queenes destruction. And now againe she burst forth into teares: 'I would never' (said she) 'make shipwrack of my soule by conspiring the destruction of my deerest sister.'

"It was answered by the Lawyers, that this should soone be disproved by testimony. Thus farre in the forenoone.

A letter of Charles Paget brought forth.

"In the afternoone, to disprove this, was produced the copy of a letter which Charles Paget had written, and Curle one of her Secretaries had witnessed that shee had receaved, touching a conference betwixt Mendoza and Ballard about the designe for invading of England and setting her at liberty.

"'This' (answered she) 'was nothing to the purpose, and proved not that she had consented to the destruction of the Queene.'

"The Lawyers proceeded further to prove that she was both

privy to the conspiracie, and conspired also the destruction of the Queene, by Babington's confession, and letters also that had passed betwixt her and him, wherein he had called her his most dread and Sovereigne Lady and Queene: And by the way they mentioned that a plot was layed for conveighing the Kingdome of England to the Spaniard. She confessed that a Priest came unto her and said, 'that if shee would not intermedde, shee and her sonne both, should be excluded from the inheritance.' But the Priest's name she would not tell. She added, that the Spaniard did laie claime to the Kingdome of England, and would not give place to any but to her.

And of Babington's.

"Then pressed they her with the testimonies of her Secretaries, Nawe and Curle, out of Babington's confession, and the letters sent to and fro betwixt her and Babington, and the whole credite of their proofes rested upon their testimony; yet were not they produced before her face to face. Curle she acknowledged to be an honest man, but not a meete witnesse against her. 'As for Nawe, hee had beene sometimes a secretary' (said she) 'to the Cardinall of Lorayne, and commended unto her by the French King, and might easily be drawn either by reward or hope, or feare, to beare false witnesse, as one that had sundry times rashly bound himselfe by oath, and had Curle so plyable unto him, that at his becke hee would write what hee bade him. It might bee that these two might insert into her letters such things as she had not dictated unto them: It might be also that such letters came to their hands, which notwithstanding shee never saw. And so shee brake forth into such words as these. 'All both majesty and safety of all Princes falleth to the ground if they depend upon the writings and testimony of Secretaries. I delivered nothing to them but what Nature delivered to me, that I might at length recover my liberty. And I am not to bee convicted but by mine owne word or writing. If they have written any thing which may be hurtfull to the Queene my sister, they have written it altogether without my knowledge, and let them beare the punishment of their inconsiderate boldnes. Sure

And the testimonies of her Secretaries.

She extenuateth their credit.

I am if they were here present, they would cleere mee of all blame in this cause. And I, if my notes were at hand, could answere particularly to these things.'

Arguing about convying the kingdome.

"Amongst these speeches the Lord Treasurer objected unto her, that shee had purposed to send her Sonne into Spaine, and to conveigh her Title shee claimeth in the Kingdome of England, to the Spaniard.

"To whom shee answered, 'That she had no Kingdome which she could conveigh, yet was it lawfull for her to give those things which were hers, at her pleasure, and not to be accomptable for the same to any.'

"When her Alphabets of Ciphers, sent over to Babington, the Lord Ludovic and Fernihurst, were objected unto her out of Curle's testimony, shee denied not, but she had written out many, and amongst others that for the Lord Ludovic, when she had commended him and another to the dignity of a Cardinall, and that, without offence (she trusted) for that it was as lawfull for her to have intercourse of letters, and to negotiate her matters with men of her Religion, as for the Queene with the professors of another Religion.

She is pressed with the testimonies of her Secretaries.

"Then pressed they her hard with the consenting testimonies of Nawe and Curle reiterated: And she reiterated her answers, or else refelled their testimonies by a flat deniall; protesting againe that shee neither knew Babington nor Ballard.

"Amongst these speeches when the Lord Treasurer had mentioned, that she knew Morgan well, which had sent Parry privily to murder the Queene, and that shee had assigned him a yeerly pension; shee replied, 'That she knew not whether Morgan had done so, but she knew that Morgan had lost all for her sake, and therefore it concerned her in honour to relieve him; and shee was not bound to revenge an injury done unto the Queene by a friend that had deserved well at her hands; yet had shee terrified the man from such wicked attempts: But contrariwise' (said she) 'pensions have been assigned out of England to Patrike Gray, and to the Scots my adversaries, as also to my sonne.'

She excuseth the pension assigned to Morgan. And retorteth pensions granted to the Scots.

"The Lord Treasurer answered, 'When the revenewes of the Kingdome of Scotland were by the negligence of the Regents much diminished, the Queene bestowed somewhat in bounty upon your Sonne the King, her neere kinsman.'

"Afterwards were produced the chiefe pointes of certaine letters sent to England, and the Lord Paget and to Bernardine de Mendoza, about foreine ayd. But when she had answered, 'That these things made not to the destruction of the Queene: And if foreiners laboured to set her at liberty, it was not to be layed to her charge; and that shee had sundry times openly signified to the Queene that shee would seeke her owne liberty;' the matter was prorogued till the next day following.

"The next day shee returned her former protestation, and required to have it recorded and a copy thereof delivered unto her, lamenting that the most reasonable conditions, which she had many times propounded to the Queene, were alwayes rejected, even when she promised to deliver her sonne and the Duke of Guise his sonne for hostages, that the Queene or kingdome of England should receive no detriment by her. So as shee saw her selfe already quite barred from all hope of her liberty: but now shee was most unworthily dealt withall, whose honor and reputation was called in question before forreine lawyers, which by wretched conclusions drew every circumstance into a consequence, whereas Princes annointed and consecrate are not subject to the same lawes that private men are. Moreover, whereas authority was graunted to the Commissioners, to examine matters tending to the hurt of the Queenes person, yet was the cause so handled, and letters wrested, that the religion which shee professed, the immunity and majesty of forreine princes, and the private intercourse betwixt princes were called into question, and she herselfe made to descend beneath her royall dignity and to appeare as a party guilty, before a Tribunall seate. And all to no other purpose but that she might be quite excluded out of the Queenes favour and her own right

She protesteth againe with a complaint.

to the succession; whereas she appeared voluntarily to cleare herselfe of the matters objected against her, least she might seeme to have neglected the defence of her owne honor and innocency. She called also to remembrance, how Queene Elizabeth herselfe had beene drawne in question about Wiat's conspiracy, whereas notwithstanding shee was most innocent; Religiously affirming, that though shee wished the safety of the Catholikes might bee provided for, yet would shee not that it should bee effected with the death and blood of any one. For her part, shee had rather play Hester then Judith, make intercession to God for the people, then deprive the meanest of the people of life. She expostulated that her enemies had divulged abroad that shee was irreligious. 'But the time was' (said she) 'when I would have beene instructed in the Protestants religion, but they would not suffer me to bee so, as if they cared not what became of my soule.' And now concluding, 'When yee have done all yee cann,' (said she) 'against me, and have excluded me from my right, yee may chance faile of your cause and hope.' And withall making her appeale to God, and to the Princes her kinsmen, and renewing her protestation, she prayed that there might bee another meeting about this matter, and that an Advocate might be granted unto her to pleade her cause, and that seeing shee was a Princesse, shee might be beleeved in the word of a Princesse. For it were extreme folly to stand to their judgement whom shee saw most plainely to be armed with prejudice against her.

The Lord Burghley answereth.

"To these things the Lord Treasurer said, 'Whereas I beare a double person, one of a Commissioner, another of a Counsailour, receave first a few words from mee as a Commissioner. Your protestation is recorded, and a copy thereof shall be delivered unto you. To us our authority is granted under the Queene's hand and the great seale of England, from which there is no appeale; neither do we come with prejudice but to judge according to the exact rules of justice. The Queene's learned Counsell do leavell at nothing else but that

the truth may come to light how farre you have offended against the Queenes person. To us full power is given to heare and examine the matter, even in your absence: yet were we desirous you should bee present, least we might seeme to have derogated from your honor. We purposed not to object any thing unto you, but what you were privy to, or have attempted against the Queenes person. The letters have beene read to no other purpose, but to discover your offence against the Queenes person, and the matters to it belonging, which are so interlaced with other matters, that they cannot bee severed. The whole letters, therefore, and not parcels picked out heere and there have beene openly read, for that the circumstances doe give assurance what matters you dealt with Babington about.'

"She interrupting him, sayd, 'The circumstances may be proved, but never the fact: Her integrity depended not upon the credit and memory of her Secretaries though she knew them to be honest and sincere men. Yet if they have confessed any thing out of feare of torments, or hope of reward and impunity, it was not to be admitted, for just causes, which she would alledge els-where. Mens minds,' (said she) 'are diversly carried about with affections, and they would never have confessed such matters against her, but for their own advantage or hope. Letters may be directed to others then those to whom they are written, and many things have been often inserted which shee never dictated. If her papers had not beene taken away, and she had her Secretary, shee could better confute the things objected against her. She interrupteth him.

"'But nothing' (said the Lord Treasurer,) 'shall be objected, but since the nyneteenth day of June: neither will your papers avail you, seeing your Secretaries and Babington himselfe, being never put to the rack have affirmed that you sent those letters to Babington: which though you deny, yet whether more credite is to be given to an affirmation then to a negation, let the Commissioners judge. But to returne to the matter. This which followeth, I tell you as a Counsellour.

Many things you have propounded time after time concerning your liberty. That they have failed of successe, it is long of you, or of the Scots, and not of the Queene. For the Lords of Scotland flatly refused to deliver the King in hostage. And when the last treaty was holden concerning your liberty, Parry was sent privily by Morgan a dependent of yours to murder the Queene.'

"'Ah' (said shee) 'you are my adversary.' 'Yea' (said he) 'I am adversary to Queene Elizabeths adversaries. But hereof enough, let us now proceede to proofes.' Which when she refused to heare; 'Yet we' (said he) 'will heare them.' 'And I also' (said she) 'will heare them in another place, and defend my selfe.'

Her letters are brought forth againe.

"Now were read againe her Letters to Charles Paget, wherein shee shewed him that there was no other way for the Spaniard to reduce the Netherlands to obedience, but by setting up a prince in England that might be of use unto him; and to the Lord Paget to hasten his auxiliarie Forces to invade England. And Cardinall Allen's letter, wherein he called her his most dread Soveraigne Lady, and signified that the matter was commended to the Prince of Parma's care.

"As these letters were in reading, shee interposed these speeches, 'That Babington and her Secretaries had accused her to excuse them selves; that she never heard of the six executioners, and that the rest made nothing to the purpose. As for Allen, she held him for a reverend Prelate; and she acknowledged no other head of the Church but the Bishop of Rome. In what ranke and place shee was esteemed by him and forreine Princes shee knew not, neither could shee hinder it if in their letters they called her Queene of England. As for her Secretaries, seeing they had done contrary to their duty and alleageance sworne unto her, they deserved no credit. They which have once forsworne themselves, though they sweare againe with never so great oaths and protestations, are not to be credited. Neither did these men thinke themselves bounden by any oath whatsoever in court of conscience,

She impayreth the credit of her Secretaries.

forasmuch as they had sworne their fidelity and secrecy to her before, and were no subjects of England. That Naw had many times written otherwise than she had dictated unto him, and Curle wrote whatsoever Naw bade him. But for her part she was willing to beare the burthen of their fault in all things, but what might lay a blot upon her honour. And haply also they confessed these things to save themselves, supposing that they could not hurt her by confessing, who they thought should be more favourably dealt withall as being a Queene. As for Ballard, she never heard of any such but of one Hallard, which had offered her his helpe; which notwithstanding, she had refused, for that she had heard that the same man had also vowed his service to Walsingham.'

"Afterwards, when certaine briefe notes of her Letters to Mendoza, which Curle had confessed he had written in privy Cipher, were read, and out of them shee was pressed as if shee had purposed to convey her right in the Kingdome to the Spaniard, and that Allen and Parsons lay now at Rome for that cause: She complaining that her Secretaries had broken their alleageance bound by oath, answered: 'When being prisoner I languished in cares without hope of liberty, and was without all hope to effect those things which very many expected at my hands, declining now through age and sicknesse; it seemed good to some that the succession of the Crowne of England should be established in the Spaniard, or some English Catholike. And a booke was sent unto me to avow the Spaniard's title; which when it was not allowed by me, I incurred displeasure amongst some: but now all my hope in England being desperate, I am fully resolved not to reject forraine ayde.'

She taxeth them of perjury.

She is accused again of conveighing the kingdom.

She answered thereunto.

"The Sollicitor put the Commissioners in minde what would become of them, their honours, estates, and posterities, if the Kingdome were so conveighed. But the Lord Treasurer shewed that the Kingdome of England could not bee conveighed, but was to descend by right of succession according to the Lawes; and asked her, if shee would any more.

" She required that she might be heard in a full Parliament, or that she might in person speake with the Queene [who would (she hoped) have regard of a Queene] and with the Councell. And now rising up with great confidence of countenance, she had some conference with the Lord Treasurer, Hatton, Walsingham, and the Earle of Warwicke by themselves apart.

" These things being done, the assembly was prorogued to the 25. of October, at the Star Chamber at Westminster. Thus far touching this matter out of the Commentaries of Edward Barker, principall Register to the Queene's Majestie, Thomas Wheeler, publique Notary, Register of the Audience of Canterbury, and other credible persons which were present.

Sentence pronounced against her.

" The sayd 25. day of October, all the Commissioners met, saving the Earles of Shrewsbury and Warwick, which were both of them sicke at that time: And after Naw and Curle had by oath, *viva voce*, voluntarily, without hope or reward, before them avowedly affirmed and confirmed all and every the letters and copies of letters, before produced, to be most true, Sentence was pronounced against the Queene of Scotts, and confirmed with the seales and subscriptions of the Commissioners, and recorded in these words. ' By their joynt assents and consent they doe pronounce and deliver their sentence and judgement, at the day and place last recited, and say, that after the end of the aforesaid session of Parliament in the Commission aforesaid specified, namely after the aforesaid first day of June in the 27. yeare abovesayd, and before the date of the same Commission, divers matters have beene compassed and imagined within this realme of England, by Anthony Babington and others, *cum scientia*, in English, with the privity ——— of the said Mary pretending title to the Crowne of this realme of England, tending to the hurt, death, and destruction of the royall person of our said lady the Queene. And namely, that after the aforesaid first day of June in the 27. yeare abovesaid, and before the date of the commission aforesaid, the aforesaid Mary pretending title to

the Crowne of this realme of England, hath compassed and magined within this realme of England, divers matters tending to the hurt, death, and destruction of the royall person of our sovereigne Lady the Queene, contrary to the forme of the Statute in the Commission aforesaid specified."

Since this report of the Trial of Mary, as given in Camden's Annals, is the only full record of the proceedings in existence, I have thought it best to append it to the present memoir, as it exhibits very clearly the manner in which that investigation was conducted; but it is, at the same time, necessary to observe, that very great doubt is cast upon its perfect accuracy by a letter from Cecil, Lord Burleigh, to Secretary Davidson, dated Oct. 15, 1586—the original of which will be found among the Cott. MSS. Calig. C. IX. f. 433—in which he describes the plea of Mary to have been, "that the points of the letters that concerned the practice against the Queen's Majesty's person, were never by her written, nor of her knowledge; the rest for invasion, for escaping by force, she said she would neither deny nor affirm."

This is the account on which we may most safely rely, especially because it agrees with several other statements which are extant, and as coming from one of the Judges, and written during the trial; it has greater claims upon our belief than the statement even of so excellent an historian as Camden, who, it should be remembered, was not present during the investigation.

THE END.

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